



## CENTERVILLE CITY COUNCIL AGENDA

**Due to Centerville City Mayor Clark Wilkinson's Determination (contained in body of below agenda ) public meetings will be held electronically via Zoom and live streamed on the Centerville City YouTube channel. Public meetings conducted via Zoom may be terminated at any time due to hackers or inappropriate content.**

### **Zoom Meeting Link Information**

*In accordance with Utah Code 52-4-207(4) of the Utah Open and Public Meeting Act, I have determined that conducting an electronic meeting of the Centerville City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. This determination is based on the facts and circumstances surrounding the COVID-19 pandemic. Considering the continued number of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain at City Hall.*

Topic: April 6, 2021 City Council Work Session & Regular Meeting  
Time: Apr 6, 2021 05:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/94841884800?pwd=VDBmWjB2dUEzQzIWT2p5ZDhXYjcxzd09>

Meeting ID: 948 4188 4800

Passcode: 985905

One tap mobile

+12532158782

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON APRIL 6, 2021 AT THE CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.**

*Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic*

*means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.*

*Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Administrative Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.*

*The full packet of backups materials can be found at <http://centerville.novusagenda.com/agendapublic>.*

**A. ROLL CALL**

**B. PRAYER OR THOUGHT**

Councilwoman Tami Fillmore

**C. PLEDGE OF ALLEGIANCE**

**D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 801-295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**

**E. BUSINESS**

1. Final Subdivision Plat - The Hive P.U.D.
2. Infrastructure Improvement Agreement (Prior to Recording Final Plat) - The Hive P.U.D.  
Consider Infrastructure Improvement Agreement (Prior to Recording Final Subdivision Plat) Between the City and CW The Hive, LLC for The Hive P.U.D.
3. Niche Wall Construction Material  
Presentation from Rocky Mountain Vault on different types of construction methods and materials for niche walls.
4. Bond Reduction - End of Warranty - South Davis Metro Fire District - 311 S Main Street  
Bond reduction in the amount of \$2,950 and end of warranty for South Davis Metro Fire Station located at approximately 311 S Main Street
5. Bid Award - Culinary Waterline and Storm Drain Replacement Project - 400 East from Parrish Lane to Chase Lane  
Consider the bids that were received for the 400 East - Parrish Lane to Chase Lane - Culinary Water Line & Storm Drain Replacement Project.
6. Green Steel Water Tank Replacement Project - Community Project Funding - Resolution of Support  
Consider Resolution No. 2021-15 supporting and authorizing the City to apply for a grant or other financial assistance under one of several possible Community Project Funding Programs to fund or partially fund the Green Steel Water Tank Replacement Project
7. Stormwater Management Plan

Consider adoption of the updated and corrected Stormwater Management Plan for Centerville City - Resolution No. 2021-08

8. Personnel Policies Amendments - Section 7.050 - Pregnancy Temporary Transitional Duty

Consider amendments to Section 7.050 of the Centerville Personnel Policies regarding Pregnancy Temporary Transitional Duty - Resolution No. 2021-14

9. Minutes Review and Acceptance

March 16, 2021 Work Session Minutes

March 16, 2021 Regular Meeting City Council Minutes

March 25, 2021 Special Meeting City Council Minutes

March 25, 2021 Closed Meeting City Council Minutes (Confidential)

10. City Council Report

Councilmember Tami Fillmore

11. Mayor's Report

12. City Manager's Report

**F. CLOSED SESSION (Closed Meeting, if necessary, for reasons allowed by State Law, including, but not limited to, the provisions of section 52-4-205 of the Utah Open and Public Meetings Act, and for the Attorney-Client matters that are privileged pursuant to Utah Code ann. 78B-1-137, as amended)**

**G. ADJOURNMENT**

Janet Denison  
Centerville City Recorder

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No.

Short Title: Zoom Link Information

Initiated By:

Staff Representative:

**SUBJECT**

*In accordance with Utah Code 52-4-207(4) of the Utah Open and Public Meeting Act, I have determined that conducting an electronic meeting of the Centerville City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. This determination is based on the facts and circumstances surrounding the COVID-19 pandemic. Considering the continued number of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain at City Hall.*

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**RECOMMENDATION**

**BACKGROUND**



**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 1.

Short Title: Final Subdivision Plat - The Hive P.U.D.

Initiated By: Jeff Allen and Darlene Carter, CW The Hive, LLC

Staff Representative: Cory Snyder, Community Development Director

**SUBJECT**

**RECOMMENDATION**

**BACKGROUND**

**ATTACHMENTS:**

Description

- ▣ 04-06-2021 City Council Transmission Report - Commission Recommendation for the The Hive P.U.D.
- ▣ PC Staff Report - The Hive Development
- ▣ The Hive Final Subdivision Plat
- ▣ Shared Access & Parking Agreement

**CENTERVILLE CITY  
COMMUNITY DEVELOPMENT DEPARTMENT  
655 North 1250 West, Centerville, Utah 84014  
(801)292-8232**

**CITY COUNCIL TRANSMITTAL REPORT**

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**PROPERTY OWNER/**

**APPLICANT:** *CW THE HIVE, LLC  
LEGACY CROSSING BLVD. #6  
CENTERVILLE, UTAH 84014  
Project Manager: Jeff Allen, [jeff@builtbycw.com](mailto:jeff@builtbycw.com)*

**PROPERTY:** *555 NORTH 400 WEST  
(Parcel #02-024-0027)*

**PARCEL ACREAGE:** **6.63 ACRES**

**ZONING:** **RESIDENTIAL-HIGH/PLANNED DEVELOPMENT (R-H/PD) &  
COMMERCIAL HIGH/PLANNED DEVELOPMENT (C-H/PD)**

**APPLICATIONS:** **1. FINAL SUBDIVISION PLAN & PLAT APPROVAL** – a planned unit development (PUD) subdivision

**RECOMMENDATION:** **PLANNING COMMISSION** **RECOMMENDS**  
**APPROVAL** (VOTE 5-0)

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**BACKGROUND**

The project consists of a proposed two-part development site which is to be converted to a planned development (PUD) subdivision plat for future ownership of commercial lot and the individual housing units. The Planning Commission has already reviewed and approved the Final Site Plans related to the entire project.

The total number of housing units being proposed is 68 dwellings (*i.e., 18 single-family and 50 townhomes*). Each dwelling unit will have a two-car garage, with alleys providing drive access to each townhome with a garage. The commercial lot will be used for the construction of an 18,000 sq. ft. office building, which currently the developer intends to relocate their corporate offices to this new building.

According to the PDO approval provisions, the commercial zoning for the office site does not take effect until a final subdivision. Therefore, the applicant is submitting the Final Planned Unit Development (PUD) Subdivision Plat that will separate the commercial lot from the residential units and jointly allow the residential units to be platted and offered for individual purchase.

The entire development will be served by private internal 30-foot-wide main roadway with two access points, which are located at Frontage Road and at 400 West, with some shared parking and common open space amenities for the all the proposed uses.

## **PLANNING COMMISSION RECOMMENDATION**

On February 24, 2021, the Planning Commission voted to **RECOMMEND APPROVAL** for The Hive Development, subject to the following conditions:

1. *The Applicant shall prepare the Articles of Incorporation and the related covenants, conditions, and restrictions (CC&R's). Such documents shall be submitted and review by the City Attorney for compliance with state statute, as part of the City Council's Review and Approval.*
2. *The expected cross access and shared parking shall be noted on the Final PUD Plat and if deemed applicable, in the related CC&R's.*
3. *The related CC&R's shall address the applicable PDO and Ordinance restrictions and limitations regarding common open space, allowable uses, recreational vehicle parking.*
4. *Subdivision development shall be subject to the terms and conditions of providing adequate utilities to the project, in accordance with applicable law from all related utility providers.*
5. *The incomplete eastern lot boundary separating the Lot 201 (commercial lot) from the residential portion of the PUD development shall be corrected and deemed acceptable by the City Attorney and Engineer, as part of the City Council's review and approval.*
6. *The Subdivision Construction Plans and Plat shall be subject to City Engineer review verifying that it fully complies with the applicable improvement standards, that the survey description is correct, and that all easements are correctly described and located."*

## **REASONS FOR ACTION:**

- a. *The Planning Commission finds that proposed Final Site Plans for both the C-H/PD and R-H/PD are consistent or conditioned to be consistent with Ordinance 2020-12 for the Hive Development PDO Approval, as outlined in the related Planning Staff Report.*
- b. *The Planning Commission finds that the Final Site Plans conform or are conditioned to conform with the Conceptual Site Plan of the PDO Approval, as per CZC 12.21.110(f), as outlined in the related Planning Staff Report.*
- c. *The Planning Commission finds that the associated PUD Subdivision Plat conforms or is conditioned to conform with CMC 15.06.010 for Planned Unit Developments, or other applicable subdivision ordinance requirements, as listed in the related Planning Staff Report.*

***PLANNING COMMISSION VOTE (5-0)***

<b>Commissioner</b>	<b>YES</b>	<b>NO</b>	<b>Not Present</b>
Daly (Chair)	X		
Hayman			X
Kjar	X		
Shegrud			<i>X (Recusal)</i>
Summerhays (Vice Chair)	X		
Wilcox	X		
Wright	X		

**CENTERVILLE CITY  
COMMUNITY DEVELOPMENT DEPARTMENT  
655 North 1250 West, Centerville, Utah 84014  
801-292-8232**

**STAFF REPORT AGENDA: ITEM 1**

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**PROPERTY OWNER/  
APPLICANT:**

*CW THE HIVE, LLC  
LEGACY CROSSING BLVD. #6  
CENTERVILLE, UTAH 84014  
Project Manager: Jeff Allen, [jeff@builtbycw.com](mailto:jeff@builtbycw.com)*

**PROPERTY:**

*555 NORTH 400 WEST  
Parcel #02-024-0027*

**PARCEL ACREAGE:**

**6.63 ACRES**

**ZONING:**

**RESIDENTIAL-HIGH/PLANNED DEVELOPMENT  
(R-H/PD) & COMMERCIAL HIGH/PLANNED  
DEVELOPMENT (C-H/PD)**

**APPLICATIONS:**

- 1. FINAL SITE PLAN APPROVALS**
    - a. Office Site (18,000 sq. ft.)*
    - b. Multi-Family Residential Dwellings (50 units) &  
Single-Family Dwellings (18 Units)*
  - 2. FINAL SUBDIVISION PLAN & PLAT  
APPROVAL** – a planned unit development (PUD)  
subdivision
- 

**BACKGROUND & GENERAL INTRODUCTION OF THE PROJECT**

The project consists of a proposed two-part development site which is to be converted to a planned development (PUD) subdivision plat for future ownership of commercial lot and the individual housing units.

The total number of housing units being proposed is 68 dwellings (*i.e. 18 single-family and 50 townhomes*). Each dwelling unit will have a two-car garage, with alleys providing drive access to each townhome with a garage. The commercial lot will be used for the construction of an 18,000 sq. ft. office building, which currently the developer intends to relocate their corporate offices to this new building.

The entire development will be served by private internal 30-foot-wide main roadway with two access points, which are located at Frontage Road and at 400 West, with some shared parking and common open space amenities for all the proposed uses.

## GENERAL APPLICATION REVIEW AND APPROVAL PROCESS OVERVIEW

The development application consists of master planning approximately 6.6 acres of property (*see Final Site Plan Exhibits*). With this PDO project proposal, there are two mandatory application processes that the Planning Commission will be considering. These two review processes are as follows:

- ✓ **Final Site Plans** – The Planning Commission will be approving two (2) final sites plans, one for the commercial site and the other for the residential units. However due to some shared access and parking between the sites, the plans were drawn as one master Final Site Plan for ease of review and ultimately infrastructure construction and installation.
- ✓ **Final Subdivision Plans and Plat** – According to the PDO approval provisions, the commercial zoning for the office site does not take effect until a final subdivision. Therefore, the applicant is submitting the Final Planned Unit Development (PUD) Subdivision Plat that will separate the commercial lot from the residential units and jointly allow the residential units to be platted and offered for individual purchase.

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## COMMERCIAL LOT - FINAL SITE PLAN STANDARDS REVIEW

- A. **Approval Standards** – The following table is provided as a summary of the applicable C-H/PD standards, which includes the applicable related PDO approval:

### CZC 12.34.300, Development Standards for C-H Zone, plus PDO Approved Design

Development Standard	Requirement	Depicted	Compliance
Allowed Use	Single Office Building (18,000 sq. ft Maximum)	Single Office Building (SIZE – 18,000)	YES
Maximum height	Max. 42 feet – per PDO Approval	42 feet	YES
Front setback	20 ft	20 ft	YES
Side setback	None Required	As per PDO Approval	YES
Rear setback	None Required*	As per PDO Approval	YES

\* The office area is integrated with the open space area between the office building and the residential uses, which inherently functions as an alternative buffer, as per PDO approval.

### CZC 12.51, Landscaping and Screening

Required Landscaping Summary CZC 12.51			
Guidelines	Standard	Proposed	Compliance
Total Area Landscaping	15%	33%	YES
Total Required Trees	1 Tree per 500	36 Trees/ on-site	

	square feet of <i>required</i> landscaping		YES
Trees for Street Frontage	1 per 25 linear feet = 12 Trees Req.	13 Trees	YES
Building Frontage/Foundation along Public Street	50%	2/3 <sup>rd</sup> of Bldg. Depicted	YES
Total Interior Parking Lot Landscaping	7% required  (1 tree, 2 shrubs For every six <i>required</i> stalls)	Percent not Provided	Likely, as depicted
Landscape Architectural Approval	All Sites 1 acre or larger	0.96 acres – No LS Architect approval required	Yes – LS Architect Designed Entire Site
Utility Screening	Must be screened from Public Street View	Not Called Out	Feasible

### CZC 12.52, Off Street Parking and Loading

Parking requirement	Calculation	Stalls Needed	Provided	Compliance
Office Uses	1 space per 200 sq. ft. of gross floor area	75 stalls	77 on-site stalls 12 off-site (shared) Total = 89 stalls	Yes

### CZC 12.51.110, Screening

The plans do not show any detail concerning the trash enclosures. The dumpster must be completely screened from view with an opaque six-foot wall or fence. The wall or fence must be compatible in material and color of the main buildings on the site.

Additionally, all ground-mounted utilities need to be screened from view of a public street. All roof top utilities need to be screened from view from a public street.

### CZC 12.54, Signs

No additional signs have been submitted for the office use site – if any additional signing is desired, the signs will need to comply with CZC 12.54 (Signs) or the PDO approved monumentation and submit and obtain the required sign permit.

### CZC 12.55.140 Outdoor Lighting

The use of outdoor lighting requires that lighting fixtures shall be arranged to direct light away from adjoining residential property. All pole lighting must use cut-off shields. All other detached lighting

must be directed downward. Up lighting may be approved as part of the landscape plan. The Final Site Plan submittal **COMPLIES** with the ordinance requirement.

### Additional PDO Exhibit Approval Compliance

Overall Approved Conceptual Plan – The Final Site Plan submittal appears to substantially **COMPLY** with the approved PDO Conceptual Site Plan.

Hive LoCi Rework Design Booklet – The design booklet addressed the following:

- i. *Monument Entry* – The Final Site Plan submittal provides the expected monumentation consisting of structural elements integrated into the architecture and placed at entry points. This theme was to be carried throughout the development.
- ii. *Cross Access and Parking* – The Final Site Plan **COMPLIES** with providing cross access and parking.
- iii. *Amenity Details* – The Final Site Plan **COMPLIES** by providing the play courts, the expected gathering area, string lights, and walled outdoor space design concepts.

Commercial Building Exterior Elevations – The Final Site Plan submittal **COMPLIES** with the expected PDO Approved Exterior Material Design. The expected material approved consisted of a glass store front system, cast in place concrete, and metal panel entry.

Traffic Impact Study – The Final Site Plan submittal appears to **COMPLY** with the Traffic Study Recommendations. The City Engineer will need to verify that the access points meet City Specifications.

## R-H/PD ZONE DEVELOPMENT STANDARDS REVIEW

- B. Approval Standards** – The following table is provided as a summary of the applicable R-H/PD standards, which includes the applicable related PDO approval:

R-H Development Standards Table 12.32.300			
Development Standard	Requirement	Proposed	Compliance
<b>Building Standards</b>			
Maximum Height	31 Feet, Max PDO allowance	SF height – 30 feet or less Townhome height – 30feet.	<b>Yes</b>
Distance Between Buildings	PDO Approved 10 feet between	Min. 10 feet provided	<b>Yes</b>



	buildings		
<b>Lot and Parcel Standards</b>			
Minimum Development Area	10,000 sq. ft.	5.67 Acres (Net)	Yes
<b>Setbacks</b>			
Front Yard	PDO Approved 20 Feet	400 West = 20 feet	Yes
Rear Yards	PDO Plan Requirement is 20 feet for the residential zone to the east	20 Feet – SF rear yards	Yes
Side	10 Feet	Min. 10 feet provided	Yes
<b>Site Standards</b>			
Landscaping, Non-Single-Family Projects	40% of Site	47% of Site	Yes
Open Space Trees & Shrubs Requirement	1 Tree & 2 Shrubs per Dwelling Unit Up to 20% of trees can be substituted w/ 10 shrubs per tree	110 Trees/ on-site 3,836 shrubs (entire development site)	Yes
Landscape Architectural Approval	All Sites 1 acre or larger	5.6 acres – LS Architect approval required	Yes

**CZC 12.52, Off Street Parking and Loading**

Parking requirement	Calculation	Stalls Needed	Provided	Compliance
Multi-family Residential Uses	2 spaces per dwelling unit 0.5 visitor per dwelling unit	136 stalls	136 garage stalls 36 SF Driveway stalls 16 on-street stalls 12 (shared) Total = 200 stalls	Yes

**CZC 12.51.110, Screening**

The plans do not show any the use of dumpsters. The residential uses will be seeking individual owner collection services from the City.

Additionally, all ground-mounted utilities need to be screened from view of a public street. If any roof top utilities are planned, this equipment will need to be screened from view from a public street.

#### **CZC 12.54, Signs**

No additional signs have been submitted for the office use site – if any additional signing is desired, the signs will need to comply with CZC 12.54 (Signs) or the PDO approved monumentation and submit and obtain the required sign permit.

#### **Additional PDO Exhibit Approval Compliance**

Overall Approved Conceptual Plan – The Final Site Plan submittal appears to substantially **COMPLY** with the approved PDO Conceptual Site Plan.

Hive LoCi Rework Design Booklet – The design booklet addressed the following:

- i. *Monument Entry* – The Final Site Plan submittal **COMPLIES** with the expected monumentation consisting of structural elements integrated into the architecture and placed at entry points. This theme was to be carried throughout the development.
- ii. *Cross Access and Parking* – The Final Site Plan **COMPLIES** with providing cross access and parking.
- iii. *Amenity Details* – The Final Site Plan **COMPLIES** by providing the play courts, the expected gathering area, string lights, and walled outdoor space design concepts.
- iv.

Residential Building Exterior Elevations – The Final Site Plan submittal **MAY OR MAY NOT FULLY COMPLY** with the expected PDO Approved Exterior Material Design, more specifically for the Single-family homes. The **expected SF building design and material appears to be altered** from what was approved in the PDO Approval. Nonetheless, applicant argues that the original designs were conceptual in scope and the final designs still incorporate and maintain the expected R-H Zone design standards and are significantly more cohesive to the over theme of the development.

Staff believes that new proposed SF designs are more consistent with the overall built theme of the development. The Planning Commission will need to determine if the altered designs significantly deviate to warrant an amendment to the PDO Approval. Here are the four (4) policy considerations.

- CZC 12.21.110 (f)(1) – A final site plan **shall conform to its associated conceptual site plan.**
- CZC 12.21.110 (f)(1) – **A site plan shall conform to applicable standards set forth in this Title** and other applicable provisions of the Centerville Municipal Code. Conditions may be imposed as necessary to achieve

compliance with applicable code requirements.

- CZC 12.32.055 - Exterior Design Standards. All sides of primary buildings within the R-M and R-H Zones shall receive design consideration with particular attention given to areas exposed to public view.
  1. *All primary buildings within a development project shall possess an overall building architectural theme, including, but not limited to, exterior building materials, textures, colors, and signage.*
  2. *The apparent mass of primary buildings or structures shall be minimized through design, articulation, and use of materials. An open design is desired that visually and physically breaks up the mass and footprint of buildings. Approaches such as the use of vertical and horizontal planes, roof pitches, roof lines, windows, reveals, and alcoves shall be used to create façade variation, shadows, corners, and architectural interest. Articulation approaches should not appear to be applied randomly or merely a surface treatment. In addition, the use of any multiple articulation approaches shall be coordinated to affect a complementary building design.*
  3. *Natural or natural-appearing materials, such as stone, cultured stone, brick, and wood, shall be the design gestures used in the architectural design of all primary buildings. Wood siding, cement fiber board siding, and other similar appearing materials shall be the other main materials used in the design of all residential buildings. Substantial or prominent use of synthetic stucco, and unnatural appearing materials, such as metal, vinyl, and plastics are to be used sparingly. Use of such secondary and/or accent materials shall not exceed 20% of the building or structure's exterior.*
  4. *The Planning Commission shall review and approve architectural design of buildings within the R-M and R-H Zones in accordance with the provisions set forth herein during conditional use permit and/or site plan review.*
- PDO Conditions of Approval for SF – “Building Exterior Elevations, Sheets A201; Single Family Options A & B, Sheet A102c; Townhome Elevations, Sheets- A-000 and A-201, submitted with the Conceptual Site Plan Application.

As to the Townhome Residential Building Design, it appears that the Final Design Scheme **COMPLIES** with the original PDO Approved Building Design.

Traffic Impact Study – The Final Site Plan submittal appears to **COMPLY** with the Traffic Study Recommendations. The City Engineer will need to verify that the access points meet City Specifications.

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## OTHER OVERALL SITE PLAN DEVELOPMENT MATTERS

Overall Fencing Plan – During the PDO Approval, there was discussion regarding perimeter fencing. Along the south side of the development there is an existing privacy fence. The Final Site Plan indicates that **similar style fence will be used along the north boundary of the development.**

Development Phasing Schedule – The PDO approval allowed for phasing the development project, specifically allowing the SF dwellings to be built on an as needed basis. The Final Site Plan submittal **provides a development schedule** that is summarized as follows:

- All supporting infrastructure for the entire development will be installed in conjunction with the Final Subdivision Plat recordation.
- There will be four (4) differing phases for vertical construction within the development.

Vertical Construction of the Commercial Lot – As a reminder, **the PDO Final Site Plan along with the Office Building Construction are dependent upon the recordation of the applicable subdivision plat to enact the change from R-H to C-H/PD**, see Section 2.e. of the PDO Approval.

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## SUBDIVISION PLAN AND PLAT - PLANNED UNIT DEVELOPMENT REVIEW

- C. **Approval Standards** – The development proposal includes submittal of a Final Subdivision Plat. In this case, the plat will be recorded as a planned unit development, which is subject to CMC 15.06.010 Planned Unit Development.

Design Standards – As a result of the related PDO Development Approval, the proposed PUD subdivision **would be deemed consistent** with the City's General Plan and the design standards recommended by the Planning Commission and the City Council.

Provisions for Common Open Space – As result of the related PDO Development Approval, the development project meets the expectations for providing open space and open space facilities.

Guarantee of Common Open Space Improvements – As part of the both the Final Site Plan and Subdivision approvals, **the developer will either construct the elements prior to recordation of the subdivision plat, or as part of recording the subdivision plat post the related improvements bond with the City.**

Continuation of Common Open Space – The Final Subdivision Plat **labels the common open space areas as "Common Area."**

Maintenance of the Common Open Space - In order to ensure maintenance of the common open space and other improvements where so required, the subdivider, prior to the recording of the final plat, shall cause to be incorporated under the laws of the State of Utah, a homeowners or property owners association. The submitted Final Subdivision Plat they are in the process writing the **expected draft of the Articles of Incorporation, along with covenants, conditions, and restrictions** for the subdivision.

PDO Related Conditions and Restrictions for the Subdivision – According to the PDO

Approval the following elements need to be addressed:

- a. Cross Access and Parking between the commercial and residential sites
- b. Accessory Use Restrictions for the Single-Family lots
- c. Accessory Use Restrictions for the Multi-family units.
- d. Recreational Vehicle Use and Storage Restrictions for both single family and multi-family uses.
- e. Home Occupations and Household Pet Allowances and Limitations.

The Final Subdivision Plat provides a reference that the development is subject to a PDO approval requiring compliance with the provisions of the approval. Additionally, the applicable CC&Rs prepared for the PUD Subdivision should include these limitations and restrictions.

Lot 201 Property Boundary/Commercial Lot – From staff's review of the PUD Subdivision Plat, it appears that there is an incomplete eastern lot boundary separating the lot from the residential portion of the PUD development.

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## OTHER APPLICABLE DEVELOPMENT STANDARDS

CZC 12.55.050, Adequate Public Facilities – The Final Site Plan and Final Subdivision submittals include all required utility response sheets. These provider sheets generally indicate that services from all of the entities are available, subject to compliance with obtaining services.

Additionally, the Final Site Plan and Subdivision submittals include a Geotechnical Engineering Report along with the Civil Engineering Plans. The City Engineer will need to review these documents and approve the final site drainage plan to ensure that the additional hard surfacing and associated runoff will be properly managed with the redevelop site.

CMC 15.05.060(h) Utility Easements – The subdivision plat submittal provides the expected utility easements applicable to the PUD Subdivision layout and design.

CMC 15.04.070 Subdivision [also Site Plan] Construction Plans – The City Engineer is currently reviewing the construction plans submittals. The City Engineer will need to verify that that the subdivision and the construction plans fully comply with the applicable improvement standards, that the survey description is correct, and that all easements are correctly described and located.

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## PLANNING STAFF RECOMMENDATION

Despite a few shortcomings mentioned in this report, as a whole, the development proposals substantially reflect the Conceptual Site Plan Exhibits related to the

approved 2020-12 PDO Ordinance applied to the property. Staff recommends the following motions for approving the related final application submittals:

**[Motion 1]** *"I hereby motion for the Planning Commission to **APPROVE** the Final Site Plan for the Commercial Office Site for the Hive Development, also to be known as Lot 201 when the PUD Plat is recorded, as follows:*

- 1. The Approved Use shall be for a maximum of 18,000 sq. ft. of gross Office space and any C-H allowed accessory uses, if approved by the City.*
- 2. The site shall be developed and constructed, as per the related Final Site Plan Submittals, unless otherwise amended by this or any future City approval.*
- 3. The Building Elevation Plan for the Office Use shall comply with the applicable PDO Approved Exhibits, unless otherwise amended by the City.*
- 4. The applicant shall finalize the Entry Monumentation and Amenity Elements prior to installation or issuance of related building permits. The City Zoning Administrator shall review and deem the final design acceptable in accordance with the designs provided at Final Site Plan. Any disputes resulting from such review shall return to the Commission for resolution.*
- 5. The development shall be subject to the terms and conditions of providing adequate utilities to the project, in accordance with applicable law from all related utility providers.*
- 6. The Building Permit for the Office Building shall not be issued until the Final Subdivision Plat has been approved by the City and recorded by the County, thereby separating the commercial acreage from the residential acreage.*

**[Motion 2]** *"I hereby motion for the Planning Commission to **APPROVE** the Final Site Plan for the Residential Site for the Hive Development, as follows:*

- 1. The Approved Uses shall be 18 single-family detached dwellings, and 50 townhome attached dwellings.*
- 2. Accessory Uses shall be limited to the restrictions and limitations of Ordinance 2020-12 approving a PDO Overlay for the property.*
- 3. The site shall be developed and constructed, as per the related Final Site Plan Submittals, unless otherwise amended by this or any future City approval.*
- 4. The Building Elevation Plan for the Residential Uses shall comply with... [Commission will need to determine compliance]***
- 5. The applicant shall finalize the Entry Monumentation and Amenity Elements prior to installation or issuance of related building permits. The City Zoning Administrator shall review and deem the final design acceptable in accordance with the designs provided at Final Site Plan. Any disputes resulting from such review shall return to the Commission for resolution.*
- 6. The development shall be subject to the terms and conditions of providing adequate utilities to the project, in accordance with applicable law from all*

*related utility providers.*

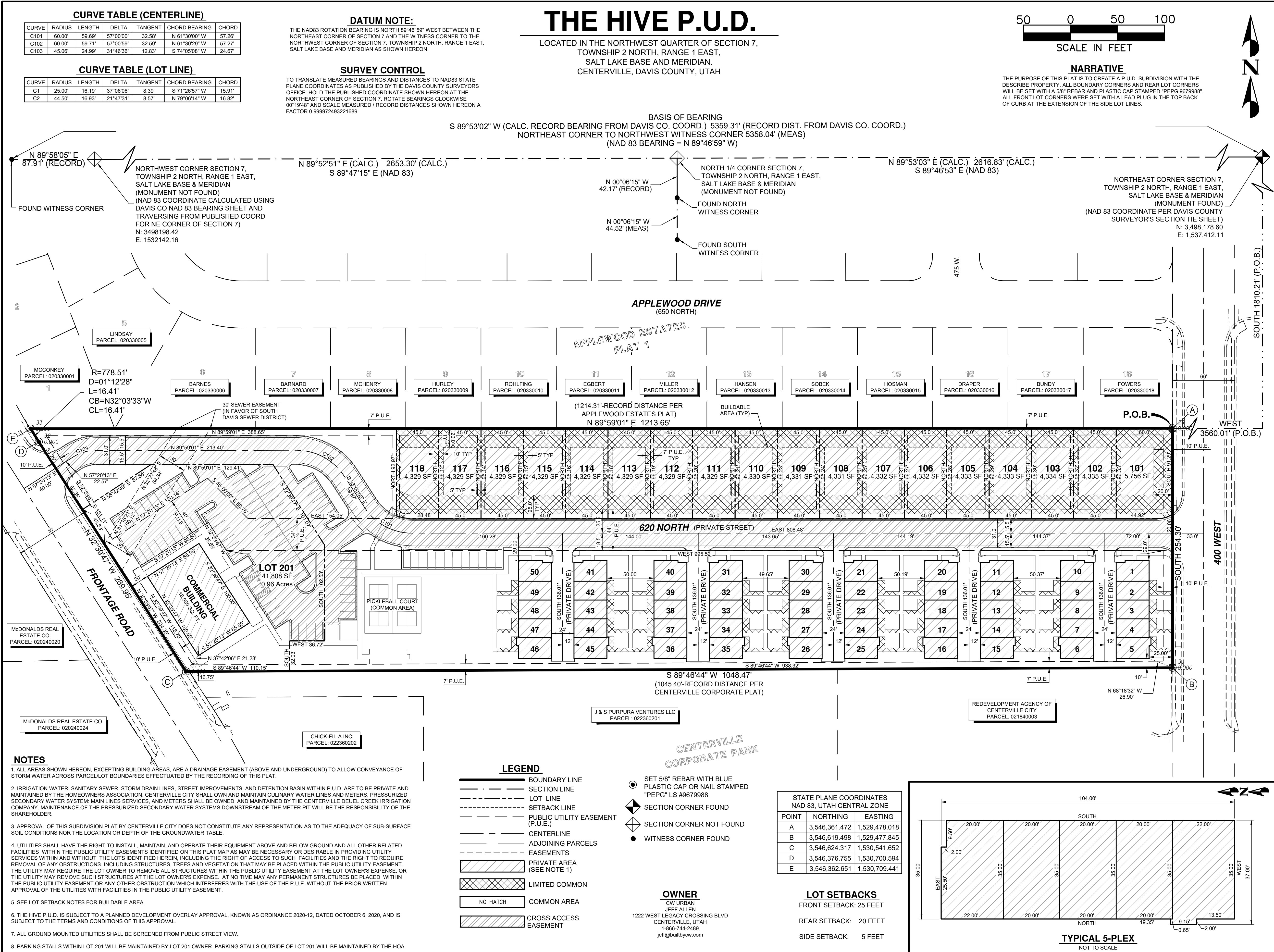
**[Motion 3]** *“I hereby motion for the Planning Commission to **RECOMMEND APPROVAL** of the Final PUD Subdivision Plans and Plat for the Hive Development to the City Council, as follows:*

- 1. The Applicant shall prepare the Articles of Incorporation and the related covenants, conditions, and restrictions (CC&R's). Such documents shall be submitted and review by the City Attorney for compliance with state statue, as part of the City Council's Review and Approval.*
- 2. The expected cross access and shared parking shall be noted on the Final PUD Plat and if deemed applicable, in the related CC&R's.*
- 3. The related CC&R's shall address the applicable PDO and Ordinance restrictions and limitations regarding common open space, allowable uses, recreational vehicle parking.*
- 4. Subdivision development shall be subject to the terms and conditions of providing adequate utilities to the project, in accordance with applicable law from all related utility providers.*
- 5. The incomplete eastern lot boundary separating the Lot 201 (commercial lot) from the residential portion of the PUD development shall be corrected and deemed acceptable by the City Attorney and Engineer, as part of the City Council's review and approval.*
- 6. The Subdivision Construction Plans and Plat shall be subject to City Engineer review verifying that it fully complies with the applicable improvement standards, that the survey description is correct, and that all easements are correctly described and located.”*

**[Suggested Reasons for Action -Findings for all three (3) Motions]**

- 1. The Planning Commission finds that proposed Final Site Plans for both the C-H/PD and R-H/PD are consistent or conditioned to be consistent with Ordinance 2020-12 for the Hive Development PDO Approval, as outlined in the related Planning Staff Report.*
- 2. The Planning Commission finds that the Final Site Plans conform or are conditioned to conform with the Conceptual Site Plan of the PDO Approval, as per CZC 12.21.110(f), as outlined in the related Planning Staff Report.*
- 3. The Planning Commission finds that the associated PUD Subdivision Plat conforms or is conditioned to conform with CMC 15.06.010 for Planned Unit Developments, or other applicable subdivision ordinance requirements, as listed in the related Planning Staff Report.*





**SURVEYOR'S CERTIFICATE**

I, Robert Law, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 9679988 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owner(s) I have made a survey of the tract of land shown on this plat and described hereon (record of survey on file at the Davis County Surveyor's Office as Entry No. 7827), and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as **THE HIVE P.U.D.**, and that the same has been correctly surveyed and monumented on the ground

**BOUNDARY DESCRIPTION**

Beginning at a point on the westerly right of way of 400 West Street; said point being the southwest corner of Applewood Estates Plat I, Recorded No. 491633; said point also being South, 1810.21 feet and West, 3560.01 feet from the Northeast Corner of Section 7, Township 2 North, Range 1 East, Salt Lake Base and Meridian; and running thence South, along said westerly right of way line of 400 West Street, 254.30 feet to a point on the northerly boundary line of the Centerville Corporate Park, Entry No. 1595245; thence South 89°46'44" West, along said northerly boundary line, 1048.47 feet to a point on the easterly right of way line of a Frontage Road; thence along said easterly right of way line the following two (2) courses: North 32°39'47" West, 289.95 feet to a point on a 778.51 foot radius curve to the right; thence 16.41 feet along said curve through a central angle of 01°12'28" (chord bears North 32°03'33" West, 16.41 feet) to a point on the southerly boundary line of said Applewood Estates Plat I; thence North 89°59'01" East, along said southerly boundary line, 1213.65 feet to the point of beginning.

Basis of Bearing is South 89°53'02" West between the Northeast Corner of Section 7 and the witness corner to the Northwest Corner of Section 7, Township 2 North, Range 1 East, Salt Lake Base and Meridian (NAD83 rotation bearing is North 89°46'59" West)

Contains: 6.66 Acres (19 Lots, 50 Units, 1-Private Road)

**OWNERS DEDICATION**

Know all men by these presents that we the undersigned are the owners of the above described tract of land, and hereby caused the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter know as

**THE HIVE P.U.D.**

and do hereby dedicate for the perpetual use of the public all roads and other areas shown this plat as intended for public use. The undersigned owner(s) also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility easements as shown on this plat to the parties indicated and for the purposes shown hereon. In witness we'll have herunto set our hands the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

CW The Hive, LLC,  
By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**NOTARY ACKNOWLEDGEMENT**

State of Utah }  
County of Davis } S.S.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_, personally appeared before me, the undersigned notary public, \_\_\_\_\_ being by me duly sworn, acknowledged to me that she is the manager of CW The Hive, LLC and that she signed the above Owners Dedication freely, voluntarily, and in behalf of said CW The Hive, LLC for the purposes therein mentioned.

Commission Number \_\_\_\_\_  
My Commission Expires \_\_\_\_\_  
Print Name: \_\_\_\_\_  
A Notary Public Commissioned in Utah

**THE HIVE P.U.D.**  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, CENTERVILLE, DAVIS COUNTY, UTAH

**COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_ FEED PAID \_\_\_\_\_  
FILED FOR RECORD AND RECORDED THIS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF \_\_\_\_\_

**COUNTY RECORDER**

BY: \_\_\_\_\_ DEPUTY



## SHARED PARKING EASEMENT AGREEMENT

THIS SHARED PARKING EASEMENT AGREEMENT (this “Easement”) is made and entered into as of the date set forth below by and between The Hive Owners’ Association, Inc., a Utah non-profit corporation (the “Association”) and CW The Hive Office, LLC, a Utah limited liability company (the “Commercial Owner”). The Association and Commercial Owner may be referred to herein individually as a “Party” or collectively, as the “Parties”.

Commented [TH1]: Entities are to-be-formed.

### RECITALS

A. The Association is the owner of the common area of “The Hive P.U.D” (the “Project”). The Project is, or will be, improved with, among other improvements, private roads and shared parking areas (the “Hive Property”). The Hive Property is more particularly described and graphically depicted on **Exhibit A** attached hereto and incorporated herein by this reference.

B. The Commercial Owner is the owner of that certain parcel of real property identified as “Lot 201” on The Hive P.U.D plat, which is more particularly described and graphically depicted on **Exhibit A** (the “Commercial Property”).

C. The Hive Property includes those certain vehicular parking spaces located directly adjacent to the Commercial Property (the “Hive Parking Spaces”). The Hive Parking Spaces are graphically depicted on **Exhibit B** attached hereto and incorporated herein by this reference. The Commercial Property includes those certain vehicular parking spaces located therein (the “Commercial Parking Spaces” and together with the Hive Parking Spaces, the “Shared Parking Spaces”). The Commercial Parking Spaces are graphically depicted on **Exhibit B**.

D. The Parties desires to establish the rights, duties, and obligations of each Party and their respective assigns, successors, residents, occupants, and guests with respect to the Shared Parking Spaces.

### AGREEMENT

NOW, THEREFORE, for the sum of Ten and No/100 Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Grant of Shared Parking Easement.** Association and the Commercial Owner hereby grant unto each other and their respective assigns, successors, residents, occupants, and guests a permanent and perpetual easement for the use and enjoyment of the Shared Parking Spaces, which is more particularly described and graphically depicted on **Exhibit C** attached hereto and incorporated herein by this reference.

2. **Restriction on Commercial Parking Spaces.** During the hours of 8:00 AM to 6:00 PM Mountain Time on any day which is not a Saturday, Sunday, or State or Federal Holiday (“Business Day”), the Commercial Parking Spaces shall only be open to the

Commercial Owner and its occupants and guests. The Commercial Parking Spaces shall be available to all Parties and their residents, occupants, and guests on any non-Business Day.

3. **Maintenance of the Shared Parking Spaces.** The Association shall contract for all maintenance and repair services for the Shared Parking Spaces including, without limitation, snow and ice removal.

4. **Payment of Maintenance Fee.** As consideration for the Association's obligation to maintain and repair the Shared Parking Spaces, the Commercial Owner shall pay a monthly "**Maintenance Fee**" of [REDACTED] (\$0.00) directly to the Association on or before the tenth (10) day of each calendar month. The Parties expressly acknowledge that the Maintenance Fee is sufficient to cover all maintenance services for the Shared Parking Spaces. The Maintenance Fee shall be increased by two percent (2%) per annum as of January 1 of each calendar year, provided that the Maintenance Fee shall not exceed twenty-five percent (25%) of the actual out-of-pocket Maintenance Costs incurred by the Association for any calendar year. Notwithstanding anything herein to the contrary, in the event the costs of the maintenance services are reasonably increased by the provider of such services prior to each yearly escalation, the Maintenance Fee will automatically increase to offset the increased Maintenance Costs; provided, however, prior to the Commercial Owner being obligated to pay the increased maintenance and repair costs, the Association shall provide the Commercial Owner with an invoice evidencing the increased Maintenance Costs and, thereafter, the Commercial Owner shall have five (5) business days to object or accept the increased Maintenance Costs. If the Commercial Owner provides a reasonable objection to the increased Maintenance Costs, the Commercial Owner and the Association shall meet and use good faith efforts to resolve the Commercial Owner's objection. In the event the Commercial Owner fails to respond within said timeframe, the increased Maintenance Fee shall be deemed approved. The "**Maintenance Costs**" shall solely mean the costs and expenses actually incurred by the Association to maintain and repair the Shared Parking Spaces and a reasonable reserve fee as determined by a reserve study related to the future repairs of the Shared Parking Spaces. Maintenance Costs shall not include any other costs or expenses incurred by the Association related to the Project including, without limitation, any management fee, any insurance costs, the costs associated with the maintenance and repair of any units within the Project and the improvements located thereon, the costs associated with the improvement, construction, maintenance, or repair of any new improvement or amenities, the costs to enforce the Project's Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements (the "**Declaration**"), etc. **THE MAINTENANCE FEE IS NOT AN ASSESSMENT.** The Commercial Property is not part of the Project subject to the Declaration. Failure to pay the Maintenance Fee or any other action or inaction by the Commercial Owner shall not terminate or give the Association the right to terminate the easements and rights granted herein or limit the Commercial Owner's rights hereunder, which are permanent and perpetual and run with the land and are appurtenant to the Commercial Property, provided that the Association may pursue a cause of action against the Commercial Owner for breach of contract and monetary damages.

5. **Liens.** Neither Party will cause or allow any liens to encumber or be filed against the other Party's property and, if such liens are filed, will cause any such lien to be canceled and discharged of record within ten (10) days after demand.

6. **Notices.** Any notice to be given by any Party to the other Party with respect to this Easement shall be in writing and shall be deemed effective: (i) upon personal delivery to the other Party at the address set forth below (or upon the refusal of any such attempted personal delivery), or (ii) one (1) day after deposit with a nationally recognized air courier service for overnight delivery, addressed as set forth below, with delivery charges prepaid, or (iii) three (3) days after deposit in the United States mail, certified, return receipt requested, postage prepared (or as of any earlier date evidenced by a receipt from the United States Postal Service). Notices shall be addressed as follows:

If to Association: CW The Hive, LLC  
1222 W. Legacy Crossing Blvd., STE 6  
Centerville, UT 84014  
Attn: Urban Development

If to Commercial Owner: CW The Hive Office, LLC  
1222 W. Legacy Crossing Blvd., STE 6  
Centerville, UT 84014  
Attn: Legal Department

Any party may designate a different address for itself by giving written notice in the manner required by this paragraph.

7. **Entire Agreement.** This Easement contains the entire agreement among the Parties. All previous agreements, communications, discussions, and negotiations relating to the subject matter hereof have been merged and set forth herein. This Easement may only be modified or amended in writing by all Parties hereto.

8. **Run with the Land; Successors and Assigns.** This Easement shall run with the land. The Easement shall benefit and be appurtenant to the Commercial Property and the Hive Property. The terms and conditions of this Easement are binding upon the Parties hereto and their respective successors, assigns, residents, occupants, and guests.

9. **Interpretation.** This Easement shall be interpreted and construed only by the contents hereof, and there shall be no presumption or standard of construction in favor of or against any Party.

10. **Headings and Captions.** The headings and captions in this Easement are for convenience only and do not constitute a part of the provisions hereof.

11. **Severability.** If any term or provision of this Easement or the application of it to any person, entity, or circumstance shall to any extent be invalid and unenforceable, the remainder of this Easement or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each term and provision of this Easement shall be valid and shall be enforced to the extent permitted by law.

12. **Applicable Law.** This Easement and the interpretation, validity, effect, and performance hereof shall be governed by the laws of Utah without regard to conflicts of law principles. Each Party agrees to the personal jurisdiction of the State of Utah. The venue for any such action or proceeding shall be in Davis County, Utah.

13. **Attorneys' Fees and Costs.** If any action at law or in equity, or any special proceeding, be instituted by any Party against the other Party to enforce this Easement or any rights arising hereunder, or in connection with the subject matter hereof, the prevailing Party shall be entitled to recover all costs and reasonable attorneys' fees. For purposes of this Section, the term "prevailing party" shall, in the case of a claimant, be the Party who is successful in obtaining substantially all of the relief sought, and in the case of the defendant or respondent, the Party who is successful in denying substantially all of the relief sought by the claimant.

14. **Time is of the Essence.** Time is expressly made of the essence of each and every provision of this Easement.

15. **Authority.** The Parties represent and warrant that the individuals executing this Easement on behalf of the Parties have the power and authority to do so and to bind the entities for which they are executing this Easement.

16. **Non-Fiduciary or Agency Relationship.** The Parties hereto expressly disclaim and disavow any partnership, joint venture, fiduciary, agency, or employment status or relationship between them and expressly affirm that they have entered into this Easement as part of an "arms-length" transaction. No Party hereto has the authority to make any representation or warranty or incur any obligation or liability on behalf of any other Party hereto, nor shall they make any representation to any third-party inconsistent with this provision.

17. **Miscellaneous.** The Parties, and each of them, acknowledge, declare, and agree, that: (i) they have consulted legal counsel about this Easement, including the meaning and effect of waiving any legal rights, or have had the opportunity to do so and have voluntarily chosen not to do so; (ii) they have had adequate time and opportunity to review the terms of this Easement and have carefully read it; (iii) they are sophisticated Parties that have negotiated this Easement at arm's length, and accordingly, expressly waive any rule of law or any legal decision that would require interpretation of any ambiguities in this Easement against the Party that has drafted it; and (iv) they intend to be legally bound to the provisions of this Easement, which shall be interpreted in a reasonable manner to effect the purposes of this Easement and intent of the parties as outlined herein.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have caused this Easement to be executed as of the day and year first above-written.

**ASSOCIATION**

The Hive Owners' Association, Inc.,  
a Utah non-profit corporation

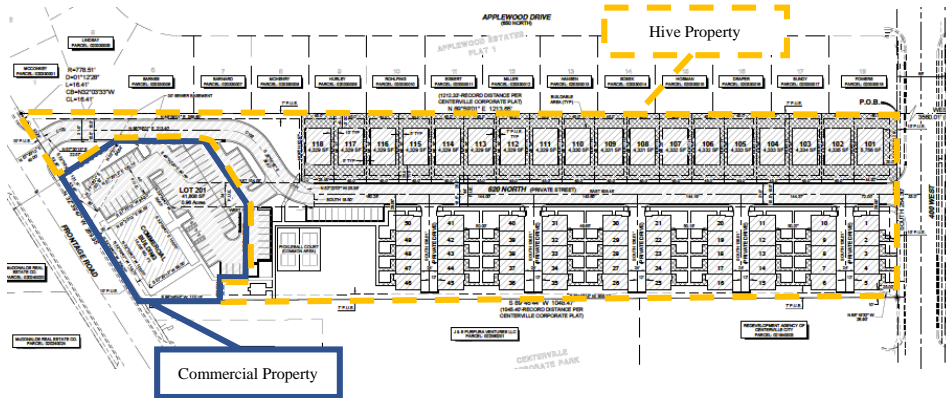
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**COMMERCIAL OWNER**

CW The Hive Office, LLC,  
a Utah limited liability company

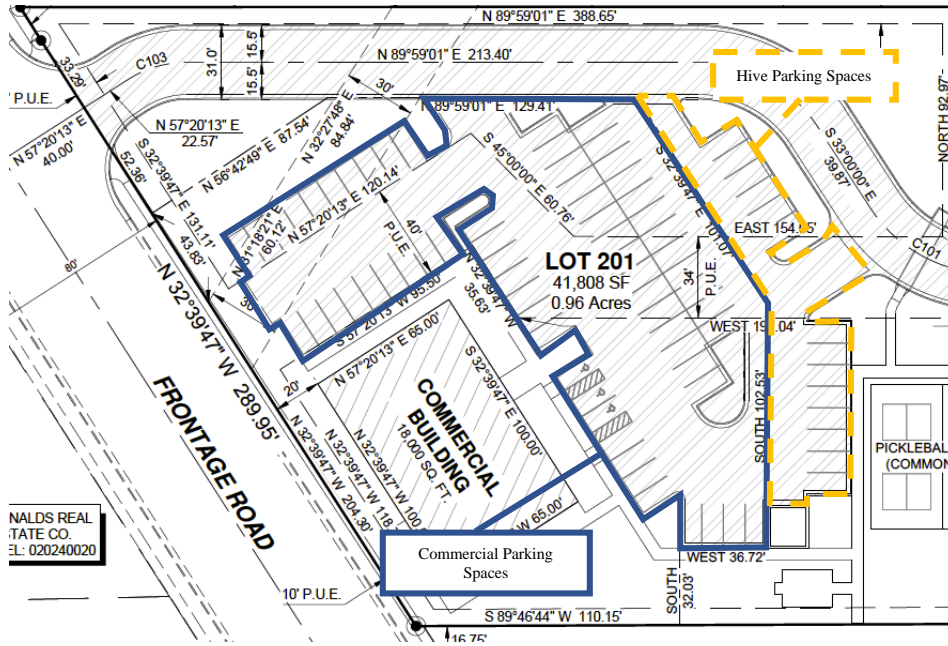
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT A**  
(Hive and Commercial Property)



## EXHIBIT B

(Graphic Depiction; Hive and Commercial Parking Spaces;  
Collectively, the Shared Parking Spaces)



**EXHIBIT C**  
(Shared Parking Easement)



**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 2.

Short Title: Infrastructure Improvement Agreement (Prior to Recording Final Plat) - The Hive P.U.D.

Initiated By: Jeff Allen and Darlene Carter, CW The Hive, LLC

Staff Representative: Lisa Romney, City Attorney

**SUBJECT**

Consider Infrastructure Improvement Agreement (Prior to Recording Final Subdivision Plat) Between the City and CW The Hive, LLC for The Hive P.U.D.

**RECOMMENDATION**

Approve Infrastructure Improvement Agreement (Prior to Recording Final Subdivision Plat) Between the City and CW The Hive, LLC. for The Hive P.U.D.

**BACKGROUND**

The City Council previously approved the Planned Development Overlay Zoning for The Hive P.U.D. as more particularly set forth in Ordinance No. 2020-12. The City Council also has scheduled for consideration at tonight's meeting the final subdivision plat for The Hive P.U.D. As part of final subdivision plat approval, the Developer of the project desires to start installing infrastructure and utilities for the Subdivision prior to recording the final plat in accordance with UCA 10-9a-604.5. The City is willing to allow Developer to commence construction of infrastructure and utilities for the subdivision prior to recording the final plat subject to entering into an Infrastructure Development Agreement (Prior to Recording the Final Subdivision Plat) with the City regarding the terms and conditions of such construction. As provided in the Infrastructure Development Agreement, the Developer is required to bond for any and all improvements within the public rights-of-way, but will not be required to bond for all of the infrastructure and utilities within the subdivision until the final plat is recorded. Staff recommends approval of the Infrastructure Improvement Agreement between the City and CW The Hive, LLC as attached hereto.

**ATTACHMENTS:**

Description

- Infrastructure Development Agreement - The Hive

**When recorded, return to:**

Centerville City  
Attn: City Recorder  
250 North Main Street  
Centerville, Utah 84014

Effects Parcels: 02-024-0027

**INFRASTRUCTURE DEVELOPMENT AGREEMENT  
(PRIOR TO RECORDING FINAL SUBDIVISION PLAT)  
BETWEEN CENTERVILLE CITY AND CW THE HIVE, LLC**

**THIS INFRASTRUCTURE DEVELOPMENT AGREEMENT** ("Agreement") is made and entered into as of the \_\_\_\_\_ day of April, 2021, by and between **CENTERVILLE CITY**, a Utah municipal corporation ("City") and **CW THE HIVE, LLC**, a Utah limited liability company ("Developer").

**RECITALS:**

A. Developer owns approximately 6.63 acres of real property located at approximately 555 North 400 West in Centerville City, Davis County, State of Utah, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"); and

B. Developer has received conditional final plat approval for subdivision of the Property into 1 commercial lot, 18 single-family residential lots, and 50 multifamily units as more particularly shown in the approved, but not yet recorded, The Hive P.U.D. Subdivision, conditionally approved by the City Council on April 6, 2021, as set forth in **Exhibit B**, attached hereto and incorporated herein by this reference ("Final Plat" or "Subdivision"); and

C. Centerville City Ordinances currently require subdivision developers to record the final subdivision plat and to post a bond with required security for the estimated cost of all public improvements and other required utilities and infrastructure improvements within the subdivision prior to any construction or development of the subject property; and

D. Pursuant to Utah Code § 10-9a-604.5, developers may begin construction of required utilities and infrastructure within the proposed subdivision prior to recording the final subdivision plat; and

E. In accordance with the provisions of Utah Code § 10-9a-604.5, Developer desires to commence construction of the required utilities and infrastructure for the Subdivision, both within the Subdivision and within portions of the public rights-of-way, prior to recording of the Final Plat; and

F. The City is willing to allow Developer to commence construction of the required utilities and infrastructure for the Subdivision, both within the Subdivision and within portions of the public rights-of-way, prior to recording the Final Plat, subject to the terms and conditions of this Agreement and compliance with all applicable City Ordinances; and

G. The purpose of this Agreement is to contractually reduce to writing the respective agreements and understandings of the parties regarding the installation of the required utilities and infrastructure improvements for the Subdivision, both within the subdivision and within portions of the public rights-of-way, prior to recording the Final Plat.

#### **AGREEMENT:**

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Incorporation of Recitals.** The above Recitals are hereby incorporated into this Agreement.
2. **Subdivision and Planned Development Overlay Approval.** All development within the Subdivision and use of the Property shall be subject to and shall comply with the terms and conditions of the Planned Development Overlay (“PDO”) approval as set forth in Ordinance No. 2020-12, the Final Plat approval and applicable provisions of the Centerville City Subdivision Ordinance or other applicable ordinances or construction standards. Nothing herein shall impact or affect the City’s administrative decision-making authority with respect to approval of the Final Plat. The purpose of this Agreement is merely to address and allow installation of utilities and infrastructure prior to recording the Final Plat in accordance with Utah Code § 10-9a-604.5.
3. **Authority to Commence Installation of Infrastructure and Utilities.** Subject to and conditioned upon the terms and conditions of this Agreement and compliance with applicable City Ordinances and permit requirements, Developer is authorized to install certain infrastructure and utilities for The Hive P.U.D. Subdivision, both within the Subdivision and within portions of the adjacent public rights-of-way. Such infrastructure and utilities include those improvements more particularly set forth in the Engineer’s Estimate (“Engineer’s Estimate”), as attached hereto and incorporated herein by reference as **Exhibit C**, including, but not limited to, street construction, irrigation, storm drains, and street lights (“Infrastructure and Utilities”).

4. **Assumption of Risk.** Developer acknowledges that City Ordinances currently require final subdivision plats to be recorded prior to installation of infrastructure and utilities and a bond to be posted or provided to the City for the estimated cost of all such improvements. Developer acknowledges that it is requesting the City to allow Developer to proceed with the installation of Infrastructure and Utilities prior to recording the Final Plat pursuant to authority under Utah Code § 10-9a-604.5, and Developer acknowledges it is proceeding at its own risk. Developer further understand that before the Final Plat can be recorded, Developer shall be required to comply with all conditions precedent as provided herein and as otherwise required by PDO approval, subdivision approval, and City Ordinances. Developer further acknowledges that the Engineer's Estimate for Infrastructure and Utilities as set forth herein are merely estimates and that Developer is required to install and pay for the actual cost of such improvements, whether such costs exceed the Engineer's Estimate or not.

5. **Infrastructure and Utilities within Public Rights-of-Way.** The installation of any Infrastructure and Utilities within the existing public rights-of-way or affecting City infrastructure shall comply with all approved Construction Drawings, City Ordinances, and Standard Specifications and Drawings regarding construction within the public right-of-way. Developer shall be required to obtain an Excavation Permit for construction within or the installation of any Infrastructure and Utilities in existing public rights-of-way. Developer shall be required to enter into the City's standard Improvements Agreement and to post an acceptable bond for the estimated amount of any and all Infrastructure and Utilities within the public rights-of-way or affecting City infrastructure, plus contingency and fees, as more particularly described in the Engineer's Estimate set forth in **Exhibit C**. As set forth in the Engineer's Estimate, Developer shall be required to post an acceptable bond relating to Utilities and Infrastructure within the public rights-of-way or affecting City infrastructure and pay applicable fees. A fully signed and executed Improvements Agreement and acceptable bond shall be provided to the City prior to issuance of an Excavation Permit for any work within the existing public rights-of-way.

6. **Infrastructure and Utilities within Subdivision.** The installation of any Infrastructure and Utilities within the Subdivision shall comply with all City Ordinances, Standard Specifications and Drawings, and permitting requirements regarding construction of public improvements and subdivision infrastructure. Installation of such improvements shall comply with approved Construction Drawings for the project. Except as otherwise provided herein or in the Engineer's Estimate, such as for the culinary water line improvements, the Developer shall not be required to bond for or enter into an Improvements Agreement for Infrastructure and Utilities located solely within the Subdivision prior to recording the plat.

7. **Culinary Water Improvements.** The City installs its own culinary water line improvements for all subdivisions or developments. The City shall, prior to installation of its culinary water line improvements, provide Developer with an estimated schedule in order for Developer to efficiently track its development progress on the Property. In accordance with applicable City Ordinances, Developer shall be

required to pay to the City the estimated cost of construction of the culinary water line improvements as more particularly described in the Engineer's Estimate set forth in **Exhibit C**. The estimated culinary water line costs shall be paid to the City prior to commencement of construction of Infrastructure and Utilities within the Subdivision or issuance of an Excavation Permit for installation of Infrastructure and Utilities in the public rights-of-way, whichever is sooner. The estimated cost of the culinary water line improvements is merely an estimate and Developer shall be required to pay for the actual cost of construction which shall be determined by the City after completion of the improvements. The City shall send Developer an invoice for any additional costs and/or return to Developer any excess funds from the estimated amount.

8. **Culinary Waterline Easements.** Developer shall grant to the City a temporary construction easement on a mutually acceptable form in accordance with Section 13 for purposes of construction of the culinary waterline improvements within the Project. Developer shall provide the City with permanent easements, including legal descriptions to be prepared by Developer, for the installed culinary water line improvements within the Subdivision. Such permanent easements shall be provided to the City prior to or concurrent with the recording of the Final Plat.

9. **Inspection and Development Fees.** Developer shall be required to pay all required inspection, development, and impact fees as more particularly described in the Engineer's Estimate, set forth in **Exhibit C**. The inspection and impact fees shall be paid prior to commencement of installation of Infrastructure and Utilities within the Subdivision or issuance of an Excavation Permit for installation of Infrastructure and Utilities in the public rights-of-way, whichever is sooner. Additional inspection, development and/or impact fees shall be due at the time of issuance of a building permit for construction of buildings within the Subdivision, in accordance with applicable City Ordinances.

10. **Utility Disconnect and Site Unwinding Deposit.** Developer agrees to provide a \$25,000 bond acceptable to the City for the purpose of securing site reclamation, erosion control, utility disconnect, and other necessary issues ("Site Unwinding Deposit"), should Developer fail to record the Final Plat within the time frame set forth in Section 18 and/or fail to complete all Infrastructure and Utilities in accordance with City Ordinance requirements and deadlines. The Site Unwinding Deposit shall be provided to the City prior to commencement of construction of Infrastructure and Utilities within the Subdivision or issuance of an Excavation Permit for installation of Infrastructure and Utilities in the public rights-of-way, whichever is sooner. If Developer fails to record the Final Plat within the time frames set forth in Section 18, the City shall issue a stop work order prohibiting further installation of the Infrastructure and Utilities and/or development within the Subdivision. In addition to the stop work order and any other remedy allowed by law or City Ordinance, the Site Unwinding Deposit, or any portion thereof, may be used by the City to restore the Property and/or to remedy any breach of this Agreement or Ordinance violation. The Site Unwinding Deposit is included as part of the Engineer's Estimate set forth in **Exhibit C**.

11. **Construction Drawings.** Developer shall submit final project plans, profiles, design, specifications and construction drawings (“Construction Drawings”) for all Infrastructure and Utilities for review and approval by the City Engineer. Construction Drawings must be approved by the City Engineer prior to commencement of any development activity on the Property and prior to issuance of any permits for development. All Infrastructure and Utilities shall be constructed and installed in accordance with approved Construction Drawings and applicable City Ordinances and specifications as determined necessary by the City Engineer. Any installation or construction of Infrastructure and Utilities that materially deviates from the approved Construction Drawings shall be deemed a breach of this Agreement in addition to any applicable Ordinance violation or bond security. Construction Drawings shall also be approved by applicable utility providers as more particularly set forth in Section 12.

12. **Approval from Affected Utilities.** Developer shall obtain any required permits or approvals from affected utility providers, local districts, water authority, canal companies or other affected entities, including approval of applicable Construction Drawings, prior to installation of any Infrastructure and Utilities for the Subdivision. Developer shall provide the City with letters or other reasonably requested evidence of approval from affected utilities prior to issuance of an Excavation Permit for the installation of Infrastructure and Utilities within the public rights-of-way and prior to commencement of construction or installation of the Infrastructure and Utilities within the Subdivision.

13. **Construction Easements.** Developer hereby grants to the City a temporary construction and access easement on and over all of the Property and grants its permission to the City, its agents, inspectors, contractors, franchisees, or applicable providers to install, complete, repair, and inspect the construction of the culinary water line, the Infrastructure and Utilities, and any other public improvements within the Subdivision. Developer shall be required to provide separately recorded easements for waterline, sewer, or other infrastructure to be installed within the Subdivision, as approved by the City or other applicable provider. Any separately recorded easements shall be shown on the Final Plat prior to recording.

14. **Erosion Control and SWPP.** Developer shall provide all required erosion control and SWPP plans and approvals prior to commencement of construction of any Infrastructure and Utilities. Developer shall comply with all requirements of such plans and permits and shall comply with all required storm water protection BMPs.

15. **Pre-Construction Meeting.** Prior to any commencement of construction of Infrastructure and Utilities, within the public rights-of-way or the Subdivision, Developer shall attend a Pre-Construction Meeting with City staff to coordinate work and required inspections on the Project and to review required payment of fees.

16. **Commencement of Infrastructure and Improvements.** Developer shall not commence construction of any Infrastructure and Utilities within the Subdivision until and unless Developer has paid all required inspection and impact fees, paid for the estimated cost of the culinary water line installation, paid the Site Unwinding

Deposit, obtained approved Construction Drawings, submitted approved erosion control plan and SWPPP, held pre-construction meeting with City, and met all other applicable City Ordinance requirements, including applicable permitting.

17. **Inspections.** Developer shall request and City shall timely comply with all required inspections and approvals of Infrastructure and Utilities as required under City Ordinances, standards and permits. Failure by Developer to obtain and pass required inspections and testing for Infrastructure and Utilities will affect final approval and acceptance of such improvements and may require removal or excavation for inspection or re-inspection at Developer's sole cost and expense. If Developer fails to obtain or pass required inspections and testing for Infrastructure and Utilities, the City shall issue a stop work order for development within the Subdivision, and Developer shall be required to obtain the required inspections or conduct the testing and fix or remedy any deficiencies in improvements. Subject to Section 19 herein, Developer cannot record the Final Plat until and unless all required inspections and testing have been conducted and any deficiencies have been remedied for any and all Infrastructure and Utilities installed to date. Alternatively, any deficiencies discovered during said inspections and tests may be bonded for by Development and remedied in accordance with applicable provisions of the bond documents and as soon as commercially reasonable following recordation of the Final Plat.

18. **Deadline for Recording Final Plat.** The Final Plat was conditionally approved by the City Council on April 6, 2021. Pursuant to Section 15.04.120 of the City Subdivision Ordinance, the Final Plat is required to be recorded within 12 months from the date of final plat approval or such approval shall be null and void. The Subdivision Ordinance does allow for one six-month extension for the recording of the Final Plat. In order to qualify for an extension, the Developer must petition the City Council in writing for an extension prior to the expiration of the original 12 months. The City Council may grant an extension "for good cause shown." Based on the provisions of Section 15.04.120, Developer must record the Final Plat or submit a request for an extension of the Final Plat by April 7, 2022. Developer agrees to accept all risk and liability for expiration of Final Plat approval, including any improvements and installation of Infrastructure and Utilities, should Developer fail to record the Final Plat by April 7, 2022 or other applicable date if an extension is granted by the City Council. If Developer fails to record the Final Plat within the time frames set forth herein the City may issue a stop work order prohibiting further installation of the Infrastructure and Utilities and/or development within the Subdivision.

19. **Bonding for Remaining Infrastructure.** Prior to recording the Final Plat, any Infrastructure and Utilities that have not been completed shall be bonded for in accordance with City Subdivision Ordinance requirements, including entering into an Improvements Agreement and submitting an acceptable bond. Developer shall notify the City and request City Engineer inspection of completed and partial completed improvements at least 14 days prior to Final Plat recording. The City Engineer shall determine the extent and adequacy of the completed or partially completed Infrastructure and Utilities and determine what improvements need to be bonded for prior to Final Plat recording. The City Engineer shall prepare a revised Engineer's

Estimate for remaining improvements. Only fully completed Infrastructure and Utilities will be excused from bonding with Final Plat.

20. **Acceptance of Improvements.** The City shall not accept any Infrastructure and Utilities until all Infrastructure and Utilities for the entire Subdivision are complete. Upon completion of all Infrastructure and Utilities, Developer shall request final inspection and approval by the City Engineer. The City shall not accept any Infrastructure and Utilities until and unless the Final Plat has been recorded. The City may permit bond releases for completed Infrastructure and Utilities in accordance with applicable City Ordinances and terms and conditions of the Improvements Agreement.

21. **Location of Utilities and Utility Company Approval.** Developer shall verify to the City the location of all installed Infrastructure and Utilities, including public improvements and streets and private utilities located in the public rights-of-way and within the Subdivision. As applicable, Developer shall submit to the City approval letters or other evidence of approval from all utilities companies verifying acceptance of the improvements prior to recording the Final Plat.

22. **Lien Waiver and Release.** Developer hereby agrees to indemnify and hold the City harmless from any and all liens and encumbrances for the Property, the Infrastructure and Utilities, and any other potential mechanics liens or encumbrances, including, but not limited to any lien or right to a lien for services, labor, or materials furnished.

23. **Final Plat Recording.** Developer shall comply with all applicable City Ordinances regarding recording of final plats. Developer shall be required to provide the City with a title report (current within 30 days of submission) for review with the Final Plat.

24. **Warranty.** Developer shall warrant all workmanship for completed and accepted Infrastructure and Utilities for a period of one (1) year, which warranty period shall not commence until all Infrastructure and Utilities have been completed and accepted by the City and the Final Plat is recorded. Except to the extent caused by the City during installation of its culinary water line improvements, the City shall not be held responsible or liable for any accident, loss or damage to Infrastructure and Utilities prior to completion and acceptance of the same by the City. Developer shall post an acceptable bond as security during the warranty period in an amount of ten percent (10%) of the lesser of the Engineer's Estimate for the cost of all improvements or the Developer's reasonable proven cost of completion of improvements. Alternatively, the City may retain the required ten percent (10%) warranty security from the existing bond and deposit.

25. **No Sale of Lots or Property.** Until and unless the Final Plat is recorded, Developer shall not sell any lot or property within the Subdivision; provided, however, Developer shall have the ability to advertise or market the Property for sale prior to recordation of the Final Plat. This restriction shall not apply to the proposed sale of the



entire project and Property or the purchase and sale of property within the project by and between Developer and its related entities.

26. **Building Permit Restrictions.** Except as otherwise allowed by City Code, building permits shall not be issued until the Final Plat is recorded and all applicable conditions of Final Plat approval have been met.

27. **Compliance with City Ordinances.** The Property and all portions thereof shall be developed in accordance with the City Ordinances, PDO approval, Final Plat approval, Construction Drawings, and this Agreement. All applicable City, State and Federal construction standards and specifications shall be met.

28. **Time Frames and Deadlines.** Nothing in this Agreement is intended to extend or waive any applicable time frame or deadline as set forth in applicable City Ordinances. Commencement and completion of construction within the Property shall comply with all applicable City Ordinance provisions.

29. **Reserved Legislative Powers.** Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power preserved by law.

30. **Indemnification.** Developer hereby agrees to indemnify and hold the City and its officers, employees, agents and representatives harmless from and against all liability, loss, damage, costs, or expenses, including attorney fees and court costs arising from or as a result of the death of any person or any accident, injury, loss or damage whatsoever caused to any person or to the property of any person which shall occur within the Property or occur in connection with any off-site work done for or in connection with the Subdivision or any subsequent phase thereof and which shall be caused by acts done thereon, or any errors or omission of the Developer, its agents, servants, employees or contractors. In addition, Developer shall indemnify and hold the City and its officers, employees and representatives harmless from and against any claims, liability, costs and attorney fees incurred on account of any change in the nature, direction, quantity or quality of historical drainage flows resulting from the Property or the construction of any improvements therein. Notwithstanding the foregoing, Developer shall not be liable for any liability, loss, damage, costs, or expenses, including attorney fees and court costs, resulting from the gross negligence, recklessness, or willful misconduct of the City, its officers, employees, agents, and representatives.

31. **Insurance.** During the period from commencement of the work on the Property and ending on the date when Infrastructure and Utilities have been accepted, Developer, its contractors, agents and representatives, shall furnish, or cause to be furnished, to the City, satisfactory Certificates of Insurance from reputable insurance companies evidencing death, bodily injury and property damage insurance policies in the amount of at least \$3,000,000 single limit naming the City as an additional insured. Developer shall require all contractors and other employees performing any work on

the Property or in connection with development of the Property to maintain adequate workers compensation insurance and public liability insurance. Developer, its contractors, agents and representatives, shall provide such Certificates of Insurance to the City as a condition of and prior to issuance of an Excavation Permit for installation of the Infrastructure and Utilities within the public rights-of-way and/or the commencement of construction or installation of Infrastructure and Utilities within the Subdivision.

32. **Inspection and Approval by the City.** The City may, at its option, perform periodic inspections of the Infrastructure and Utilities being installed and constructed by the Developer. No work involving excavation shall be covered until the same has been inspected by the City's representatives and the representatives of other governmental entities having jurisdiction over the particular improvements involved.

33. **Use and Maintenance During Construction.** During construction, the Developer, and any permitted subsequent developers, shall keep the Property and all affected public streets and public easements free and clear from any unreasonable accumulation of debris, waste materials and any nuisances and shall contain construction debris and provide dust control so as to prevent scattering via wind and water or otherwise. Such construction maintenance and control of construction debris shall be conducted in accordance with applicable City, State and Federal laws, regulations and permits, including, but not limited to applicable Utah Department of Environmental Quality regulations and permitting requirements, and in accordance with applicable best management practices.

34. **Default.** The City may pursue any enforcement action deemed necessary and appropriate for any violation of City Ordinances in accordance with applicable enforcement provisions as set forth in City Ordinances or otherwise permitted by law. Nothing herein shall limit the City's right to issue a stop work order for failure to record the Final Plat (as set forth in Section 18) or failure to obtain inspection or testing (as set forth in Section 17) and no notice of default is required for such action. Notwithstanding and in addition to the City's right to pursue any enforcement action for violation of City Ordinances, in the event any party fails to perform its obligations hereunder or to comply with the terms of this Agreement, the non-defaulting party may have the following enforcement remedies. Prior to invoking the remedies provided herein, the non-defaulting party shall provide the defaulting party written notice of default and a ten (10) day cure period. All notices of default shall be provided in accordance with the Notice provisions set forth in Section 38. In the event the defaulting party does not cure the default within the required ten (10) day cure period or enter into a written agreement for curing the default within a reasonable time, acceptable to the non-defaulting party in its reasonable discretion, the non-defaulting party may, at its election, have the following remedy or remedies:

- a. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and specific performance, but not including damages as provided in Section 49.

b. The right to withhold all further approvals, licenses, permits or other rights associated with the particular lot, parcel or building to which the default is applicable until such default has been cured.

c. The right to draw on any security posted or provided in connection with the Property or project.

d. The right to terminate this Agreement with respect to the particular lot, parcel or building to which the default is applicable.

e. The rights and remedies set forth herein above shall be cumulative.

35. **Insolvency or Misrepresentation.** Developer shall be in default under the terms of this Agreement under the following circumstances if not cured within twenty (20) days after notice of default is given: (i) Developer is adjudicated bankrupt or makes any voluntary or involuntary assignment for the benefit of creditors, or bankruptcy, insolvency, reorganization, arrangement, debt adjustment, receivership, liquidation or dissolution proceedings shall be instituted by or against Developer; and, if instituted adversely, the one against whom such proceedings are instituted consents to the same or admits in writing the material allegations thereof, or said proceedings shall remain undismissed for 150 days; or (ii) Developer has made a materially false representation or warranty in any agreement with or application to the City.

36. **Assignment.** Developer shall not assign its obligations under this Agreement or any rights or interests herein without giving prior written notice to the City. Any future assignee shall consent in writing to be bound by the terms of this Agreement as a condition precedent to the assignment. No party shall transfer, assign, sell, lease, encumber, or otherwise convey its rights and obligations under this Agreement separate from that party's interest in the Property. Unless otherwise provided, in the event of a sale or transfer of the Property, or any portion thereof, the buyer or transferee ("Subsequent Developer") shall be liable for the performance of each of the obligations contained in this Agreement as it relates to that portion of the Property it is buying, and acceptance of a deed to any portion of the Property shall constitute an agreement to assume and to be bound by the provisions of this Agreement as it relates to the Property covered by the deed. Each buyer or transferee shall sign an assignment and assumption agreement in a form reasonably acceptable to the City agreeing to be bound by the terms and conditions of this Agreement as provided herein. Any reference to Developer or Developers herein shall be construed to refer to any Subsequent Developer with respect to the portion of the Property owned by such Subsequent Developer.

37. **Ownership and Recording.** Developer hereby warrants and represents that it is the legal owner of record of the Property as described herein, it has the right to develop the Property, and it has full authority to enter into the terms of this Agreement encumbering the Property. Developer hereby agrees and acknowledges that this

Agreement shall be recorded against the Property. Prior to recording this Agreement, Developer shall provide the City with a current and accurate title report regarding the Property. Developer shall be required to cure or subordinate any unacceptable encumbrances on the Property, as determined by the City, prior to recording of this Agreement. All persons or entities with an ownership interest in the Property as shown on the title report shall sign and be a party to this Agreement.

38. **Notice.** All notices required or desired to be given hereunder shall be in writing and shall be deemed to have been provided on the date of personal service upon the party for whom intended or upon receipt if mailed, by certified mail, return receipt requested, postage prepaid, and addressed to the parties at the following addresses:

To Centerville City:                      Centerville City  
    Attn: City Manager  
    250 North Main Street  
    Centerville, Utah 84014

To Developer:                                CW The Hive, LLC  
    1222 West Legacy Crossing Blvd, Suite 6  
    Centerville, Utah 84014

Any party may change its address for notice under this Agreement by giving written notice to the other party in accordance with the provisions of this paragraph.

39. **Attorneys' Fees.** Each party agrees that should it default in any of the covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including reasonable attorneys' fees which may arise or accrue from enforcing this Agreement, or in pursuing any remedy provided hereunder or by the statutes or other laws of the State of Utah.

40. **Entire Agreement.** This Agreement, together with the Exhibits attached hereto, documents referenced herein, and all regulatory approvals given by the City for the Property, contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

41. **Construction of Agreement.** This Agreement shall be construed so as to effectuate the public purpose of implementing long-range planning objectives, obtaining public benefits, and protecting any compelling countervailing public interest. For purposes of this Agreement and the construction of its terms, the parties acknowledge that both participated in the drafting of this Agreement and neither shall be considered the drafter.

42. **Non-Liability of City Officials, Employees and Others.** No officer, representative, agent or employee of the City shall be personally liable to the

Developer or any successor in interest or assignee of the Developer in the event of any default or breach by the City, or for any amount which may become due Developer, or their successors or assigns, or for any obligation(s) arising under the terms of this Agreement.

43. **No Third Party Rights.** Unless otherwise specifically provided herein, the obligations of Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or third parties.

44. **Binding Effect.** This Agreement shall be binding upon the parties hereto and their respective officers, agents, employees, successors and assigns, as permitted herein. The covenants contained herein shall be deemed to run with the Property and a copy of this Agreement shall be recorded in the office of the Davis County Recorder, State of Utah. The persons signing for and on behalf of Developer warrant and represent that they are duly authorized and empowered to enter into this Agreement for and on behalf of Developer, and that by their signatures, they do bind Developer to the terms of this Agreement.

45. **Governing Law and Jurisdiction.** The provisions of this Agreement shall be governed by and interpreted in accordance with the laws of the State of Utah. The parties to this Agreement agree that any judicial action associated with the Agreement shall be taken in the Utah state or federal court of competent jurisdiction.

46. **No Waiver.** Any party's failure to enforce any provision of the Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

47. **Severability.** If any portion of this Agreement is held to be unenforceable by court of competent jurisdiction, any enforceable portion thereof and the remaining provisions shall continue in full force and effect.

48. **Time of Essence.** Time is expressly made of the essence with respect to the performance of each and every obligation hereunder.

49. **Knowledge and Covenant Not to Sue.** The parties have read this Agreement and have executed it voluntarily after having been apprised of all relevant information and risks and having had the opportunity to consult with legal counsel of their choice. Developer agrees not to sue or initiate any claim or other administrative or legal action against the City for an exaction, takings claim, impact fee challenge, or other claim with respect to the development of the Property or any other provision of this Agreement as associated with the Property. The parties acknowledge that they enter this Agreement voluntarily and with the intent to address and establish issues and procedures for the installation of Infrastructure and Utilities prior to recording the Final Plat. Notwithstanding the foregoing, if litigation is pursued, no monetary damages shall be awarded and sole remedy for either party shall be specific performance or

injunction. In the event of conflict between the provisions of this Section and other provision of this Agreement, the provisions of this Section shall govern.

50. **Supremacy.** In the event of any conflict between the terms of this Agreement and those of any document referred to herein, this Agreement shall govern.

51. **No Relationship.** Nothing in this Agreement shall be construed to create any partnership, joint venture or fiduciary relationship between the parties.

52. **Amendment.** This Agreement may be amended only in writing signed by the parties hereto.

53. **Force Majeure.** Neither party hereto shall be liable for any delay or failure in the keeping or performance of its obligations under this Agreement during the time and to the extent that any such failure is due to acts of God, acts of the United States Government or the State of Utah, fires, floods, or other casualties or causes beyond the reasonable control and without the fault or negligence of the party obligated to perform hereunder; provided the party seeking relief under the provisions of this Section: (1) notifies the other party in writing of a force majeure event within fifteen (15) days following the affected party's knowledge of the occurrence of the claimed force majeure event, and (2) promptly resumes the keeping and performance of the affected obligations after such cause has come to an end. Each party shall make every reasonable effort to keep delay in performance as a result of such a cause to a minimum.

54. **Termination.** This Agreement shall terminate upon completion and fulfillment of all the obligations and terms of this Agreement; provided, Sections 30, 31 and 49 shall remain in full force and effect until expiration of the warranty period for public improvements and any bonded improvements, such as landscaping, and expiration of any applicable statute of limitation for contractual claims, takings issues, impact fee challenges, or other claim with respect to the terms and conditions of this Agreement ("Termination").

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first above written.

*[Signature page to follow]*

**“CITY”**

**CENTERVILLE CITY**

**ATTEST:**

\_\_\_\_\_  
Jennifer Hansen, Deputy City Recorder

By: \_\_\_\_\_  
Mayor Clark A. Wilkinson

**“DEVELOPER”**

**CW THE HIVE, LLC**

By: \_\_\_\_\_

Its: \_\_\_\_\_

**HIVE ACKNOWLEDGMENT**

**STATE OF UTAH**                    )  
  :ss.  
**COUNTY OF** \_\_\_\_\_ )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared before me \_\_\_\_\_, who being duly sworn, did say that (s)he is the \_\_\_\_\_ of **CW THE HIVE, LLC**, a Utah limited liability company, and that the foregoing instrument was signed on behalf of the limited liability company, and that said liability company freely and voluntarily executed the same.

\_\_\_\_\_  
Notary Public

My Commission Expires:

Residing at:

\_\_\_\_\_

\_\_\_\_\_

## **EXHIBIT A**

### **Property Description**

**Parcel No. 02-024-0027**  
**555 North 400 West**

BEG AT A PT ON THE W'LY R/W OF 400 WEST STR; SD PT BEING THE SE COR OF APPLEWOOD ESTATES PLAT I; SD PT ALSO BEING S 1810.21 FT & W 3560.01 FT FR THE NE COR OF SEC 7-T2N-R1E, SLB&M; & RUN TH S ALG SD W'LY R/W LINE OF 400 WEST STR 254.30 FT TO A PT ON THE N'LY BNDRY LINE OF CENTERVILLE CORPORATE PARK; TH S  $89^{\circ}46'44''$  W ALG THE N'LY BNDRY LINE OF CENTERVILLE CORPORATE PARK & THE N'LY BNDRY LINE OF CENTERVILLE CORPORATE PARK AMD 1048.47 FT TO A PT ON THE E'LY R/W LINE OF A FRONTAGE ROAD; TH ALG SD E'LY R/W LINE THE FOLLOWING TWO (2) COURSES: N  $32^{\circ}39'47''$  W 289.95 FT TO A PT ON A 778.51 FT RADIUS CURVE TO THE RIGHT; TH 16.41 FT ALG SD CURVE THROUGH A CENTRAL ANGLE OF  $01^{\circ}12'28''$  (CHORD BEARS N  $32^{\circ}03'33''$  W 16.41 FT) TO A PT ON THE S'LY BNDRY LINE OF SD APPLEWOOD ESTATES PLAT I; TH N  $89^{\circ}59'01''$  E ALG SD S'LY BNDRY LINE 1213.65 FT TO THE POB. CONT. 6.633 ACRES



## **EXHIBIT B**

### **Proposed The Hive P.U.D. Subdivision Final Plat**



## **EXHIBIT C**

### **Engineer's Estimate**

**ESI Engineering, Inc.**

3500 South Main, Suite 206

Salt Lake City, Utah

Phone (801) 263-1752

Fax (801) 263-1780

Project:

The Hive

P.U.D.

Owner:

**Centerville City**

Estimated by: BWN

Date: 3/11/21

Checked by: KLC

Date: 3/11/21

Sheet No.

1 of 3

Project No.

20-048

**Consulting Engineers & Land Surveyors****PRELIMINARY - BOND ESTIMATE AND FEE SCHEDULE**

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
<b>STREET CONSTRUCTION &amp; UNWINDING (A)</b>					
1	Asphalt demolition & Unwinding	1	LS	\$25,000.00	\$25,000.00
2	Asphalt	20	TN	\$75.00	\$1,500.00
3	Slurry Seal	0	SY	\$2.00	\$0.00
4	Curb and gutter	200	LF	\$25.00	\$5,000.00
5	Sidewalk and ped ramps	1,200	SF	\$6.00	\$7,200.00
6	Import untreated base course	40	TN	\$25.00	\$1,000.00
7	Import granular borrow	0	TN	\$20.00	\$0.00
	<b>Subtotal A (Items 1-7)</b>				<b>\$39,700.00</b>
<b>IRRIGATION (B)</b>					
8	6" PVC	50	LF	\$30.00	\$1,500.00
9	Tapping tees	2	EA	\$2,000.00	\$4,000.00
10	6" gate valves	2	EA	\$450.00	\$900.00
11	6" bends	0	EA	\$350.00	\$0.00
12	6" x 1" saddle	0	EA	\$250.00	\$0.00
13	6" x 1.5" saddle	0	EA	\$250.00	\$0.00
14	6" x 2" saddle	0	EA	\$250.00	\$0.00
15	1" poly water service	0	LF	\$20.00	\$0.00
16	1.5" poly water service	0	LF	\$25.00	\$0.00
17	2" poly water service	0	LF	\$30.00	\$0.00

PRELIMINARY - BOND ESTIMATE AND FEE SCHEDULE					
ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
18	1" Meters	0	EA	\$500.00	\$0.00
19	2" Meters	0	EA	\$500.00	\$0.00
20	Double Meter	0	EA	\$1,000.00	\$0.00
21	Import granular backfill	20	TN	\$20.00	\$400.00
22	Import sand bedding	20	TN	\$20.00	\$400.00
	<b>Subtotal B (Items 8-22)</b>				<b>\$7,200.00</b>
STORM DRAIN (C)					
23	18" HDPE	30	LF	\$40.00	\$1,200.00
24	15" HDPE	40	LF	\$35.00	\$1,400.00
25	Inlet box	2	EA	\$2,500.00	\$5,000.00
26	60" MH	1	EA	\$3,000.00	\$3,000.00
27	Combo Box	0	EA	\$5,000.00	\$0.00
28	Detention Facility	0	EA	\$5,000.00	\$0.00
29	Drainage Fabric	0	SF	\$1.00	\$0.00
30	Import gravel backfill	20	TN	\$25.00	\$500.00
31	Import granular backfill	20	TN	\$20.00	\$400.00
	<b>Subtotal C (Items 23-31)</b>				<b>\$11,500.00</b>
SANITARY SEWER (D)					
32	8" PVC sewer main	0	LF	\$40.00	\$0.00
33	4" PVC sewer lateral	0	LF	\$35.00	\$0.00
34	8" X 4" tee	0	EA	\$300.00	\$0.00
35	48" sewer manhole	0	EA	\$3,000.00	\$0.00
36	60" sewer manhole	0	EA	\$4,500.00	\$0.00

PRELIMINARY - BOND ESTIMATE AND FEE SCHEDULE					
ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
37	Cleanout	0	LF	\$100.00	\$0.00
38	Import gravel backfill	0	TN	\$25.00	\$0.00
39	Import granular backfill	0	TN	\$20.00	\$0.00
	<b>Subtotal D (Items 32-39)</b>				<b>\$0.00</b>
MISCELLANEOUS ITEMS (E)					
40	Street Lights on 400 West & Frontage Road	4	EA	\$7,500.00	\$30,000.00
	<b>Subtotal E (Item 40)</b>				<b>\$30,000.00</b>
	<b>Subtotal A-E (Items 1-40)</b>				<b>\$88,400.00</b>
41	Contingency	20%			\$17,680.00
	<b>Total Bond Estimate (Items 1-41)</b>				<b>\$106,080.00</b>
FEES					
42	Inspection Fees	2.05%			\$19,806.81
43	Storm Drain Impact Fee	6.655	AC	\$3,911.00	\$26,027.71
44	Video inspections of storm drains	70	LF	\$1.50	\$105.00
45	2" Water Development Fee (Total 2" Fee = \$20,270.00, Developer required to pay 50% up front and 50% at building permit)	1	EA	\$10,135.00	\$10,135.00
46	3/4" Water Development Fee (Total 3/4" Fee = \$2,026.00, Developer required to pay 50% up front and 50% at building permit)	68	EA	\$1,013.00	\$68,884.00
47	Culinary Waterline Construction Fee (see separate estimate for itemized schedule)				\$242,400.00
	<b>TOTAL FEES</b>				<b>\$367,358.52</b>

Note: These estimates were prepared as an opinion of cost based on current trends and construction activity in the area of the project at the time of plan preparation. This estimate is for the City's use to establish a basis for bonding and represents an opinion of what it may cost if the City is required to bid out and construct the project in the future. This estimate is based on plans prepared by the Developer and does not include all costs for the project.

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 3.

Short Title: Niche Wall Construction Material

Initiated By: Bruce Cox

Staff Representative: Bruce Cox, Parks and Recreation Director

**SUBJECT**

Presentation from Rocky Mountain Vault on different types of construction methods and materials for niche walls.

**RECOMMENDATION**

Approve the use of granite or concrete as the material to be used for the recently approved construction of a niche wall at the cemetery.

**BACKGROUND**

Rocky Mountain Vault was awarded the bid to construct a niche wall at the Centerville City Cemetery. The bid award amount included the use of concrete for the construction the niche wall, but other materials are available as a possibility. A representative from Rocky Mountain Vault will be available to discuss the other material options besides concrete and to discuss the advantages and disadvantages of each material. Additionally, the representative from Rocky Mountain Vault will be available to address any other questions.

**ATTACHMENTS:**

Description

- ▣ Niche Wall photo 1
- ▣ Niche Wall photo 2
- ▣ Bountiful Cemetery Niche Wall photo





Georgia Louise Thompson  
Sept. 15, 1904  
Dec. 3, 1970

Myrna Wood Thompson  
Sept. 1, 1907  
Aug. 10, 1997

Shirley L. Stager  
May 10, 1908  
Apr. 11, 1988

Robert Raymond Stager  
June 4, 1908  
May 16, 1988

Robert Raymond Stager  
June 4, 1908  
May 16, 1988

Greg Martin Farduhn  
July 26, 1945  
March 24, 2016

LOVERIDGE



Lorin F  
JENSEN  
May 21, 1964  
Apr. 14, 2009  
*Lorin F. Jensen*

LIZ HASTINGS  
APR. 7, 1958  
NOV. 28, 2003  
*Liz Hastings*

ANGIE GIBBS  
DESANTIS  
AUG. 5, 1967  
JAN. 5, 2013  
*Angie Gibbs Desantis*

ERICK TRAVIS  
SCHEEN  
FEB. 19, 1967  
SEPT. 5, 2012  
*Erick Travis Scheen*

Wayne Loyd  
Wallace  
May 21, 1966  
Nov. 11, 2004  
*Wayne Loyd Wallace*

PRESTON  
CALVIN  
LUCK  
FEB. 2, 1923  
MAY 24, 2011  
*Preston Calvin Luck*

ANNA MAXINE  
"MIKKI"  
LUCK  
JUNE 21, 1924  
AUG. 2, 2013  
*Anna Maxine "Mikki" Luck*

Loy Ann  
Smith  
Aug. 26, 1961  
Aug. 19, 2011  
*Loy Ann Smith*

Keith Lyle  
Smith  
Aug. 26, 1961  
Aug. 19, 2011  
*Keith Lyle Smith*

Harold  
Douglas  
LITTLE  
Aug. 3, 1961  
Aug. 19, 2011  
*Harold Douglas Little*

CRISTAL R.  
WALKER  
MAY 26, 1961  
MAY 26, 2011  
*Cristal R. Walker*

Mary Ann  
McFadden  
July 11, 1961  
July 11, 2011  
*Mary Ann McFadden*

JAY REED  
REYNOLDS  
Aug. 26, 1961  
Aug. 19, 2011  
*Jay Reed Reynolds*

TED  
ANTHONY  
HUNT  
OCT. 16, 1961  
JUNE 24, 2011  
*Ted Anthony Hunt*



ROSS A. JENSEN  
BORN 1939  
DIED 2012  
*Ross A. Jensen*







**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 4.

Short Title: Bond Reduction - End of Warranty - South Davis Metro Fire District - 311 S Main Street

Initiated By: Kevin Campbell, City Engineer

Staff Representative: Kevin Campbell, City Engineer

**SUBJECT**

Bond reduction in the amount of \$2,950 and end of warranty for South Davis Metro Fire Station located at approximately 311 S Main Street

**RECOMMENDATION**

Approve bond reduction in the amount of \$2,950 and end of warranty for South Davis Metro Fire Station located at approximately 311 S Main Street

**BACKGROUND**

The City Engineer recommends bond reduction in the amount of \$2,950 and end of warranty for the South Davis Metro Fire Station located at approximately 311 S Main Street. All public improvement and bonded items for the project have been completed and end of warranty period is recommended.

**ATTACHMENTS:**

Description

- ▢ Fire Station - Bond Reduction Recommendation



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**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 5.

Short Title: Bid Award - Culinary Waterline and Storm Drain Replacement Project - 400 East from Parrish Lane to Chase Lane

Initiated By: Kevin Campbell, City Engineer

Staff Representative: Kevin Campbell, City Engineer

**SUBJECT**

Consider the bids that were received for the 400 East - Parrish Lane to Chase Lane - Culinary Water Line & Storm Drain Replacement Project.

**RECOMMENDATION**

It is recommended that the project be awarded to Great Basin Development and Construction in the amount of \$435,259.00.

**BACKGROUND**

The following bids were received by Centerville City on February 25, 2021 for the above referenced project:

1. Great Basin Development and Construction: \$ 435,259.00
  2. Ormond Construction: \$ 651,715.01
  3. SCI: \$ 765,110.00
- Engineer Estimate: \$ 431,650.00

As you will notice the bids varied significantly. The bidding climate for utility projects has been somewhat volatile this spring. Staff feels very fortunate that we received a good bid.

**ATTACHMENTS:**

Description

- ☐ Bid Tabulation
- ☐ Notice of Award



## BID TABULATION FOR CENTERVILLE CITY

400 EAST (CHASE LN TO PARRISH LN) CULINARY WATERLINE & STORM DRAIN Project #s 20-145 & 20-146				Great Basin		Ormond Construction		SCI		Engineers Estimate	
Item No.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Install 10" PVC C900 waterline pipe (including tracer wire).	3,500	LF	\$22.00	\$77,000.00	\$48.00	\$168,000.00	\$40.30	\$141,050.00	\$20.00	\$70,000.00
2	Install 8" PVC C900 waterline pipe (including tracer wire).	100	LF	\$30.00	\$3,000.00	\$39.00	\$3,900.00	\$60.40	\$6,040.00	\$18.00	\$1,800.00
3	Install 6" PVC C900 waterline pipe (including tracer wire).	100	LF	\$30.00	\$3,000.00	\$39.00	\$3,900.00	\$60.40	\$6,040.00	\$16.00	\$1,600.00
4	Remove and haul away existing abandoned waterline and storm drain line as needed	2,000	LF	\$4.00	\$8,000.00	\$12.00	\$24,000.00	\$31.90	\$63,800.00	\$5.00	\$10,000.00
5	Install 10" x 10" x 10" tapping tee	1	EA	\$1,725.00	\$1,725.00	\$1,200.00	\$1,200.00	\$1,380.00	\$1,380.00	\$500.00	\$500.00
6	Install 10" x 10" x 8" tee	2	EA	\$495.00	\$990.00	\$600.00	\$1,200.00	\$603.00	\$1,206.00	\$500.00	\$1,000.00
7	Install 10" x 10" x 6" tee	3	EA	\$467.00	\$1,401.00	\$550.00	\$1,650.00	\$489.00	\$1,467.00	\$500.00	\$1,500.00
8	Install 10" x 10" x 6" tapping tee	1	EA	\$1,725.00	\$1,725.00	\$1,900.00	\$1,900.00	\$1,380.00	\$1,380.00	\$500.00	\$500.00
9	Install 10" 90° bend	2	EA	\$475.00	\$950.00	\$500.00	\$1,000.00	\$334.00	\$668.00	\$350.00	\$700.00
10	Install 10" 45° bend	4	EA	\$475.00	\$1,900.00	\$500.00	\$2,000.00	\$407.00	\$1,628.00	\$350.00	\$1,400.00
11	Install 10" 22.5° bend	1	EA	\$475.00	\$475.00	\$500.00	\$500.00	\$146.00	\$146.00	\$350.00	\$350.00
12	Install 10" 11.25° bend	1	EA	\$475.00	\$475.00	\$500.00	\$500.00	\$407.00	\$407.00	\$350.00	\$350.00
13	Install 6" 90° bend	2	EA	\$375.00	\$750.00	\$350.00	\$700.00	\$405.00	\$810.00	\$350.00	\$700.00
14	Install 10" sleeve including tie-in to existing line	1	EA	\$2,800.00	\$2,800.00	\$1,550.00	\$1,550.00	\$780.00	\$780.00	\$400.00	\$400.00
15	Install 8" sleeve including tie-in to existing line	2	EA	\$2,800.00	\$5,600.00	\$1,425.00	\$2,850.00	\$390.00	\$780.00	\$400.00	\$800.00
16	Install 6" sleeve including tie-in to existing line	1	EA	\$2,800.00	\$2,800.00	\$1,325.00	\$1,325.00	\$650.00	\$650.00	\$400.00	\$400.00
17	Disconnect & Install cap or plug (thrust block included)	4	EA	\$1,017.00	\$4,068.00	\$350.00	\$1,400.00	\$707.00	\$2,828.00	\$150.00	\$600.00
18	Install 10" gate valve	5	EA	\$500.00	\$2,500.00	\$1,175.00	\$5,875.00	\$188.00	\$940.00	\$350.00	\$1,750.00

19	Install 8" gate valve	2	EA	\$500.00	\$1,000.00	\$1,125.00	\$2,250.00	\$188.00	\$376.00	\$350.00	\$700.00
20	Install 6" gate valve	4	EA	\$500.00	\$2,000.00	\$1,075.00	\$4,300.00	\$110.00	\$440.00	\$350.00	\$1,400.00
21	Remove and replace fire hydrant	1	EA	\$2,025.00	\$2,025.00	\$1,425.00	\$1,425.00	\$1,320.00	\$1,320.00	\$2,000.00	\$2,000.00
22	Install 10" loop	1	Lump Sum	\$3,300.00	\$3,300.00	\$3,200.00	\$3,200.00	\$2,700.00	\$2,700.00	\$5,000.00	\$5,000.00
23	Install PRV (including Vault and gravel)	1	Lump Sum	\$9,165.00	\$9,165.00	\$9,750.00	\$9,750.00	\$9,530.00	\$9,530.00	\$5,000.00	\$5,000.00
24	Remove and haul away old PRV bypass	1	Lump Sum	\$1,200.00	\$1,200.00	\$1,100.00	\$1,100.00	\$3,020.00	\$3,020.00	\$500.00	\$500.00
25	Install 4" PVC SDR-35 Drain Line	60	LF	\$32.00	\$1,920.00	\$45.00	\$2,700.00	\$27.40	\$1,644.00	\$30.00	\$1,800.00
26	Core-drill existing manhole wall for drain line (including concrete collar and grout)	3	EA	\$687.00	\$2,061.00	\$1,250.00	\$3,750.00	\$313.00	\$939.00	\$500.00	\$1,500.00
27	Remove and haul away existing valves and fittings as needed. Salvage to City per Water Department.	6	EA	\$750.00	\$4,500.00	\$750.00	\$4,500.00	\$101.00	\$606.00	\$300.00	\$1,800.00
28	Pressure test section of waterline including temporary caps and thrust blocks of waterline	1	Lump Sum	\$2,250.00	\$2,250.00	\$5,550.00	\$5,550.00	\$2,710.00	\$2,710.00	\$2,000.00	\$2,000.00
29	Install new 12" PVC storm drain (provided by city)	1,000	LF	\$49.00	\$49,000.00	\$45.00	\$45,000.00	\$48.40	\$48,400.00	\$30.00	\$30,000.00
30	Provide & Install storm drain inlet boxes and grates (including removal of existing, coring, collars, grouting and curb & gutter)	1	EA	\$3,307.00	\$3,307.00	\$4,105.43	\$4,105.43	\$3,190.00	\$3,190.00	\$3,000.00	\$3,000.00
31	Provide & Install double hooded storm drain inlet boxes and grate (including removal of existing, coring, collars, grouting and curb & gutter)	5	EA	\$4,614.00	\$23,070.00	\$5,810.00	\$29,050.00	\$4,620.00	\$23,100.00	\$5,000.00	\$25,000.00
32	Provide & Install 48" storm drain manhole (including coring, collars & grouting)	2	EA	\$2,954.00	\$5,908.00	\$4,906.29	\$9,812.58	\$4,520.00	\$9,040.00	\$3,000.00	\$6,000.00
33	Provide & Install combo box (including manhole lid and ring, grate, removal of existing, coring, collars, grouting and curb & gutter)	2	EA	\$4,767.00	\$9,534.00	\$5,760.00	\$11,520.00	\$4,850.00	\$9,700.00	\$5,000.00	\$10,000.00
34	Remove and replace inlet frame and grate (including removal of existing, grouting and curb & gutter)	1	EA	\$1,700.00	\$1,700.00	\$2,578.00	\$2,578.00	\$815.00	\$815.00	\$1,000.00	\$1,000.00
35	Pothole existing utility as per Engineer to verify new waterline & storm drain alignment	1	Lump Sum	\$3,000.00	\$3,000.00	\$3,500.00	\$3,500.00	\$4,610.00	\$4,610.00	\$3,000.00	\$3,000.00
36	Remove and replace curb and gutter	300	LF	\$46.00	\$13,800.00	\$42.00	\$12,600.00	\$105.00	\$31,500.00	\$50.00	\$15,000.00
37	Remove and replace sidewalk	100	SF	\$21.00	\$2,100.00	\$18.00	\$1,800.00	\$14.50	\$1,450.00	\$25.00	\$2,500.00
38	Remove and haul away concrete waterway	200	SF	\$8.00	\$1,600.00	\$21.00	\$4,200.00	\$53.30	\$10,660.00	\$35.00	\$7,000.00
39	Pulverize and stockpile for backfill asphalt including saw-cut (6" thick average)	19,600	SF	\$0.75	\$14,700.00	\$1.92	\$37,632.00	\$0.25	\$4,900.00	\$1.00	\$19,600.00
40	Excavate and haul away native material (including rocks over 4" dia. rocks larger than 4" dia. expected)	3,000	CY	\$12.00	\$36,000.00	\$14.50	\$43,500.00	\$25.20	\$75,600.00	\$12.00	\$36,000.00
41	Excavate, stockpile and backfill with granular native material (4" minus) including compaction	1,500	CY	\$5.00	\$7,500.00	\$4.00	\$6,000.00	\$10.50	\$15,750.00	\$8.00	\$12,000.00



42	Import gravel bedding for drain line (including drainage/separation fabric)	500	TN	\$19.00	\$9,500.00	\$27.50	\$13,750.00	\$43.50	\$21,750.00	\$25.00	\$12,500.00
43	Import sand bedding including compaction	3,500	TN	\$10.00	\$35,000.00	\$19.50	\$68,250.00	\$29.60	\$103,600.00	\$20.00	\$70,000.00
44	Import untreated base course including compaction on side streets tie-ins	200	TN	\$15.00	\$3,000.00	\$26.50	\$5,300.00	\$34.80	\$6,960.00	\$25.00	\$5,000.00
45	Asphalt patching for side street tie-ins (4" thick, PG-58-28, DM 1/2", 50 Blow, 15% max. RAP)	200	TN	\$175.00	\$35,000.00	\$190.71	\$38,142.00	\$156.00	\$31,200.00	\$150.00	\$30,000.00
46	Restore landscaping as needed (approx. 1000 SF)	1	Lump Sum	\$2,200.00	\$2,200.00	\$3,500.00	\$3,500.00	\$11,200.00	\$11,200.00	\$3,000.00	\$3,000.00
47	Traffic Control	1	Lump Sum	\$8,269.00	\$8,269.00	\$18,500.00	\$18,500.00	\$25,600.00	\$25,600.00	\$5,000.00	\$5,000.00
48	Mobilization	1	Lump Sum	\$22,491.00	\$22,491.00	\$31,000.00	\$31,000.00	\$70,800.00	\$70,800.00	\$20,000.00	\$20,000.00
	Subtotal (Items 1-48)				\$435,259.00		\$651,715.01		\$765,110.00		\$431,650.00

## Section 00 51 00

## Notice of Award

Date: 2/25/2021

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Project: 400 East (Chase Ln to Parrish Ln) – Culinary Waterline & Storm Drain

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Owner: Centerville City

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Owner's Contract No.: 20-145 & 20-146

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Contract: 400 East (Chase Ln to Parrish Ln) – Culinary Waterline & Storm Drain

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Engineer's Project No.: 20-145 & 20-146

---

Bidder: Great Basin Development and Construction

---

Bidder's Address: 42 South 200 West

---

Mantua, UT 84324

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You are notified that your Bid dated 2/25/2021 for the above Contract has been considered. You are the apparent Successful Bidder and are awarded a Contract for Bid Schedule Items 1-48.

The Contract Price of your Contract is Four Hundred Thirty Five Thousand Two Hundred Fifty Nine 00/100 Dollars (\$435,259.00).

3 copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within [5] days of the date you receive this Notice of Award.

1. Deliver to the Owner [3] fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract security [Bonds] as specified in the Instructions to Bidders (Article 20), General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
3. Other conditions precedent:  
None

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

---

Owner

By: \_\_\_\_\_

Authorized Signature

---

Title

Copy to Engineer

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 6.

Short Title: Green Steel Water Tank Replacement Project - Community Project Funding - Resolution of Support

Initiated By: Kevin Campbell, City Engineer

Staff Representative: Mike Carlson, Interim Public Works Director

**SUBJECT**

Consider Resolution No. 2021-15 supporting and authorizing the City to apply for a grant or other financial assistance under one of several possible Community Project Funding Programs to fund or partially fund the Green Steel Water Tank Replacement Project

**RECOMMENDATION**

Approve Resolution No. 2021-15 supporting and authorizing the City to apply for a grant or other financial assistance under one of several possible Community Project Funding Programs to fund or partially fund the Green Steel Water Tank Replacement Project

**BACKGROUND**

Staff are working with The Ferguson Group to submit an application for one of several possible Community Project Funding Programs to fund or partially fund the replacement of the green steel water tank on the hillside ("Green Steel Water Tank Replacement Project"). The green steel water reservoir tank was constructed in 1971 and refurbished/recoated in the late 1990s due to significant rust and deterioration. The reservoir tank has met its expected life and continues to have pinhole leaks due to rust. It is recommended that the reservoir tank be replaced with a new reinforced concrete reservoir that will be buried underground in the hillside approximately half a mile due north. Attached is a Concept Plan and Engineer's Estimate for the new reinforced concrete reservoir and a picture of the old green steel water tank that is planned to be replaced. Staff recommends approval of Resolution No. 2021-15 demonstrating community support, both financially and politically, for the Green Steel Water Tank Replacement Project and grant application.

**ATTACHMENTS:**

Description

- Resolution No. 2021-15 - Green Steel Water Tank Replacement Project
- New Reservoir Conceptual Plan
- New Reservoir Engineer's Estimate
- Green Steel Tank Photos

**RESOLUTION NO. 2021-15**

**A RESOLUTION IN SUPPORT OF AND AUTHORIZING THE SUBMITTAL OF  
A GRANT OR OTHER FINANCIAL ASSISTANCE APPLICATION UNDER  
ONE OF SEVERAL POSSIBLE COMMUNITY PROJECT FUNDING  
PROGRAMS TO FUND OR PARTIALLY FUND THE GREEN STEEL WATER  
TANK REPLACEMENT PROJECT**

**WHEREAS**, the City of Centerville, Utah (“City”) desires to replace the deteriorating and failing green steel water tank located up on the hillside with a reinforced concrete reservoir (“Green Steel Water Tank Replacement Project”); and

**WHEREAS**, the City Council supports the project and desires to submit and apply for possible Community Project Funding Programs to fund or partially fund the Green Steel Water Tank Replacement Project; and

**WHEREAS**, the City will comply with all applicable laws and regulations relating to the Green Steel Water Tank Replacement Project and any terms of funding approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1.     Support and Authorization.** The City Council supports the Green Steel Water Tank Replacement Project and the submittal of a grant or other financial assistance application under one of several possible Community Project Funding Programs to fund or partially fund the Green Steel Water Tank Replacement Project and hereby expresses its support for the Project and the submittal of financial funding applications.

**Section 2.     Severability Clause.** If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

**Section 3.     Effective Date.** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,  
STATE OF UTAH, ON THIS 6<sup>th</sup> DAY OF APRIL, 2021.**

**ATTEST:**

**CENTERVILLE CITY**

\_\_\_\_\_  
Jennifer Hansen, Deputy City Recorder

By: \_\_\_\_\_  
Mayor Clark A. Wilkinson

## **CERTIFICATE OF PASSAGE AND EFFECTIVE DATE**

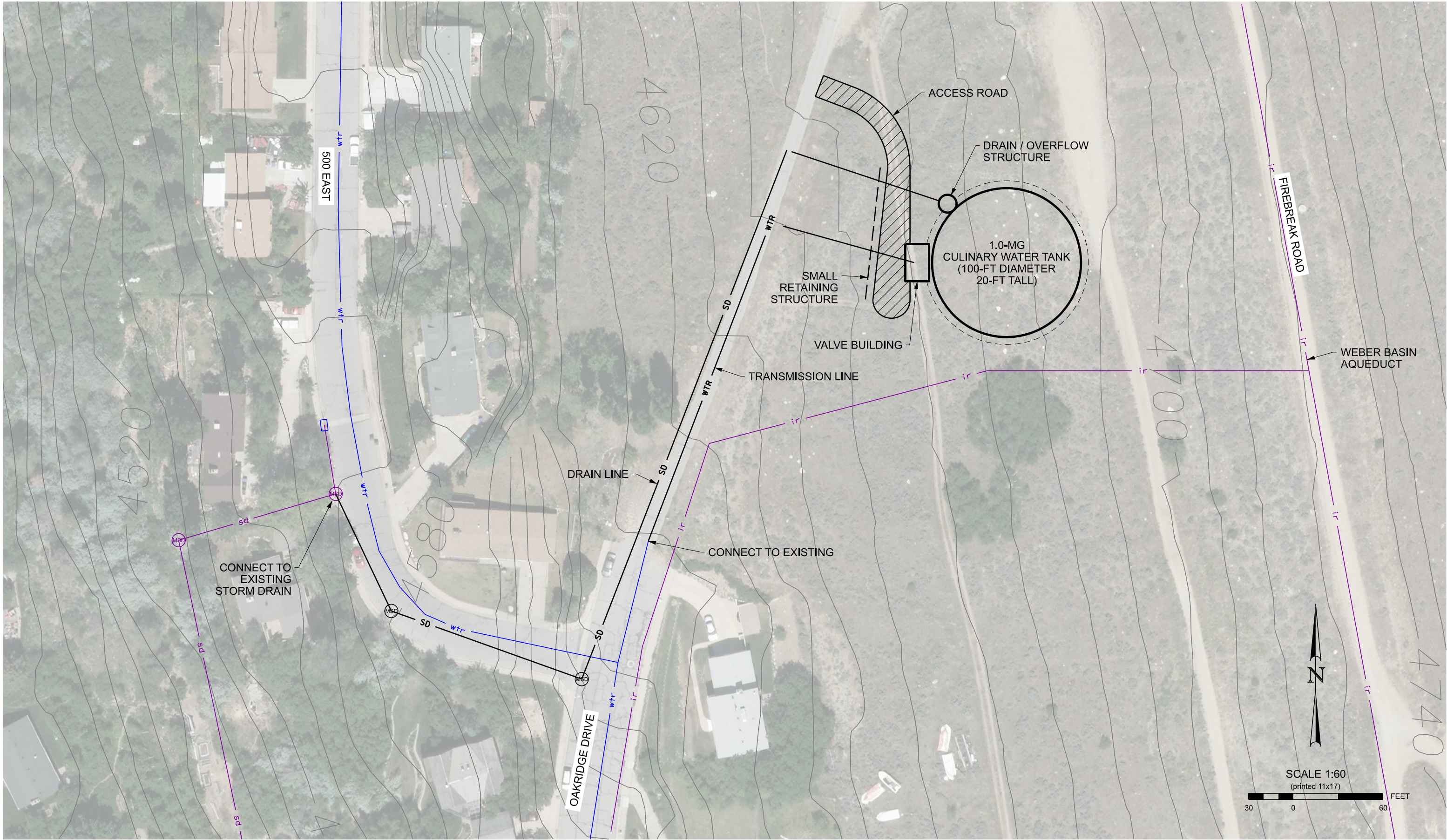
According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

\_\_\_\_\_  
JENNIFER HANSEN, Deputy City Recorder

DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_ day of \_\_\_\_\_, 2021.





REVISION	DATE	BY	DESCRIPTION	DESIGN
				CDP
				DRAWN KB
				CHECKED KLC
				DATE 11/04/2020

CONCEPTUAL PLAN LAYOUT

CENTERVILLE CITY  
1.0-MG REINFORCED CONCRETE TANK  
(GREEN STEEL TANK REPLACEMENT)



ESI ENGINEERING  
CONSULTING ENGINEERS AND LAND SURVEYORS  
3500 SOUTH MAIN STREET SUITE 206  
SALT LAKE CITY, UTAH 84115  
TEL: (801) 263-1752

SHEET 1  
OF 1  
PROJECT NO.  
19-056



**ESI Engineering, Inc.**

3500 South Main, Suite 206

Salt Lake City, Utah

Phone (801) 263-1752

**Consulting Engineers & Land Surveyors**

Project:

**Green Steel Tank**

Replacement

Owner:

**Centerville City**

Estimated by:

CDP

11/1/2020

Checked by:

KLC

Sheet No.

1 of 1

Project No.

19-056

## Conceptual Estimate

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
1	Excavation for tank and valve building	5,000	CY	\$3.00	\$15,000.00
2	Backfill tank and valve building	3,000	CY	\$2.50	\$7,500.00
3	Tank - reinforced concrete	1	LS	\$500,000.00	\$500,000.00
4	Tank piping	1	LS	\$18,000.00	\$18,000.00
5	Valve building	1	LS	\$80,000.00	\$80,000.00
6	Valve building piping	1	LS	\$22,000.00	\$22,000.00
7	Transmission line	350	FT	\$65.00	\$22,750.00
8	Drain line	700	FT	\$75.00	\$52,500.00
9	Drainage structures	10	EA	\$4,500.00	\$45,000.00
10	Curb and gutter	400	FT	\$35.00	\$14,000.00
11	Concrete drive approach	400	SF	\$12.00	\$4,800.00
12	Roadbase - Access Road	200	TN	\$35.00	\$7,000.00
13	Asphalt - Access Road	100	TN	\$90.00	\$9,000.00
14	Retaining wall	100	FT	\$150.00	\$15,000.00
15	Chain link fence and gate	1	LS	\$12,000.00	\$12,000.00
16	Landscape, slope stability, and irrigation	1	LS	\$25,000.00	\$25,000.00
17	Power connection and building electrical	1	LS	\$15,000.00	\$15,000.00
18	Erosion control - during construction	1	LS	\$5,000.00	\$5,000.00
19	Utility Relocation	1	LS	\$50,000.00	\$50,000.00
20	Site BMP's	1	LS	\$20,000.00	\$20,000.00
21	Mobilization	1	LS	\$55,000.00	\$55,000.00
	<b>Subtotal (Items 1-21)</b>				<b>\$994,550.00</b>
22	Contingency	25%			\$248,637.50
23	Property acquisition	1 LS			\$500,000.00
24	Design Engineering and Survey	10%			\$99,455.00
25	Construction Management and Staking	10%			\$99,455.00
	<b>Total Construction Project</b>				<b>\$1,942,097.50</b>



# Green Steel Tank



PITTSBURGH-DES MOINES

STEEL COMPANY

52'-0" DIA X 32'-0" 500,000 GAL

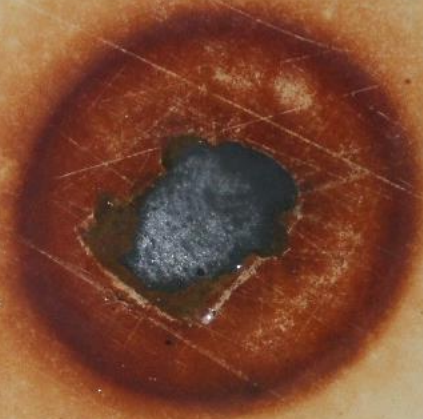
CONTRACT NO.  
YEAR ERECTED

31678

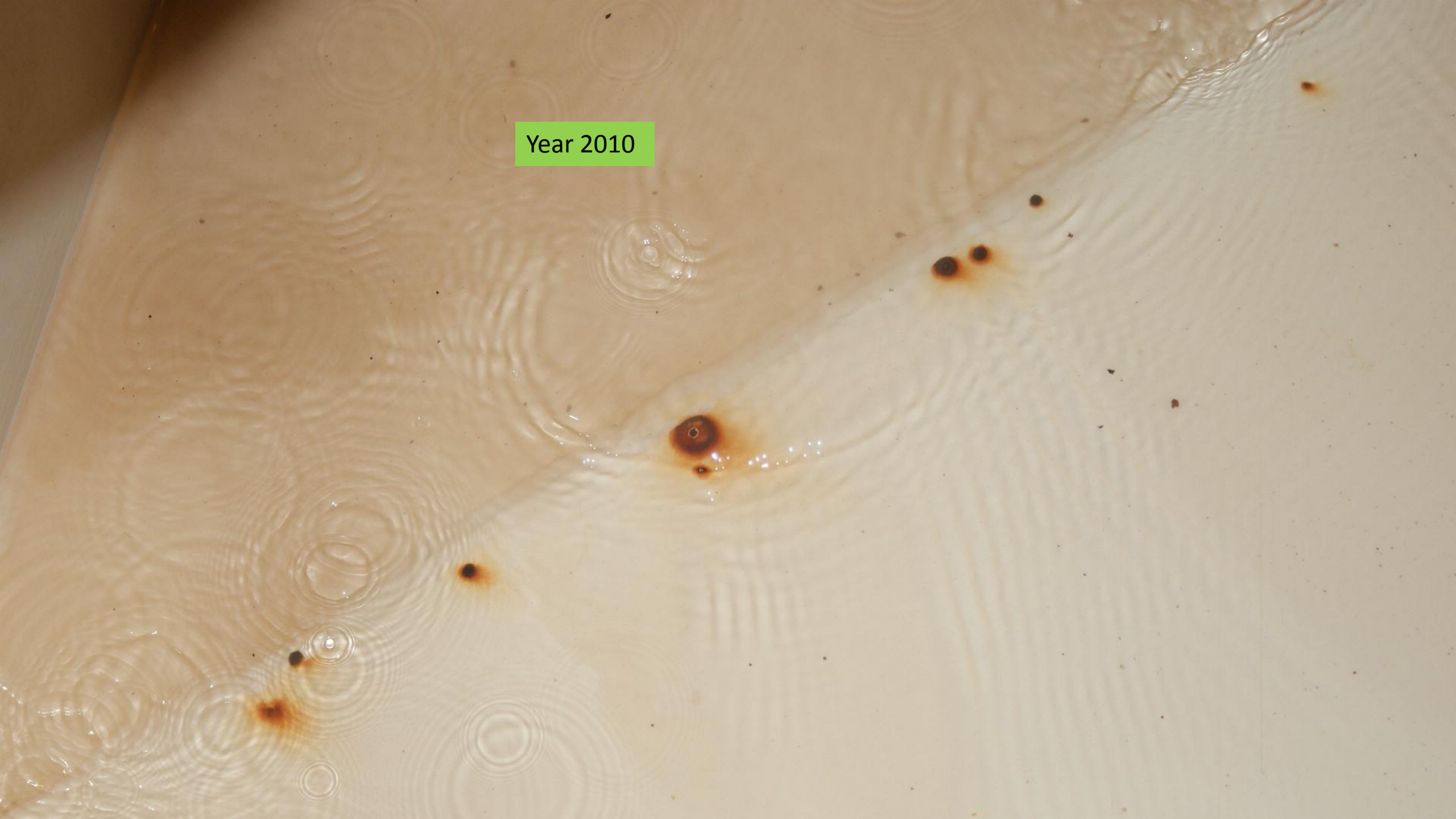
1971



Year 2010



Year 2010





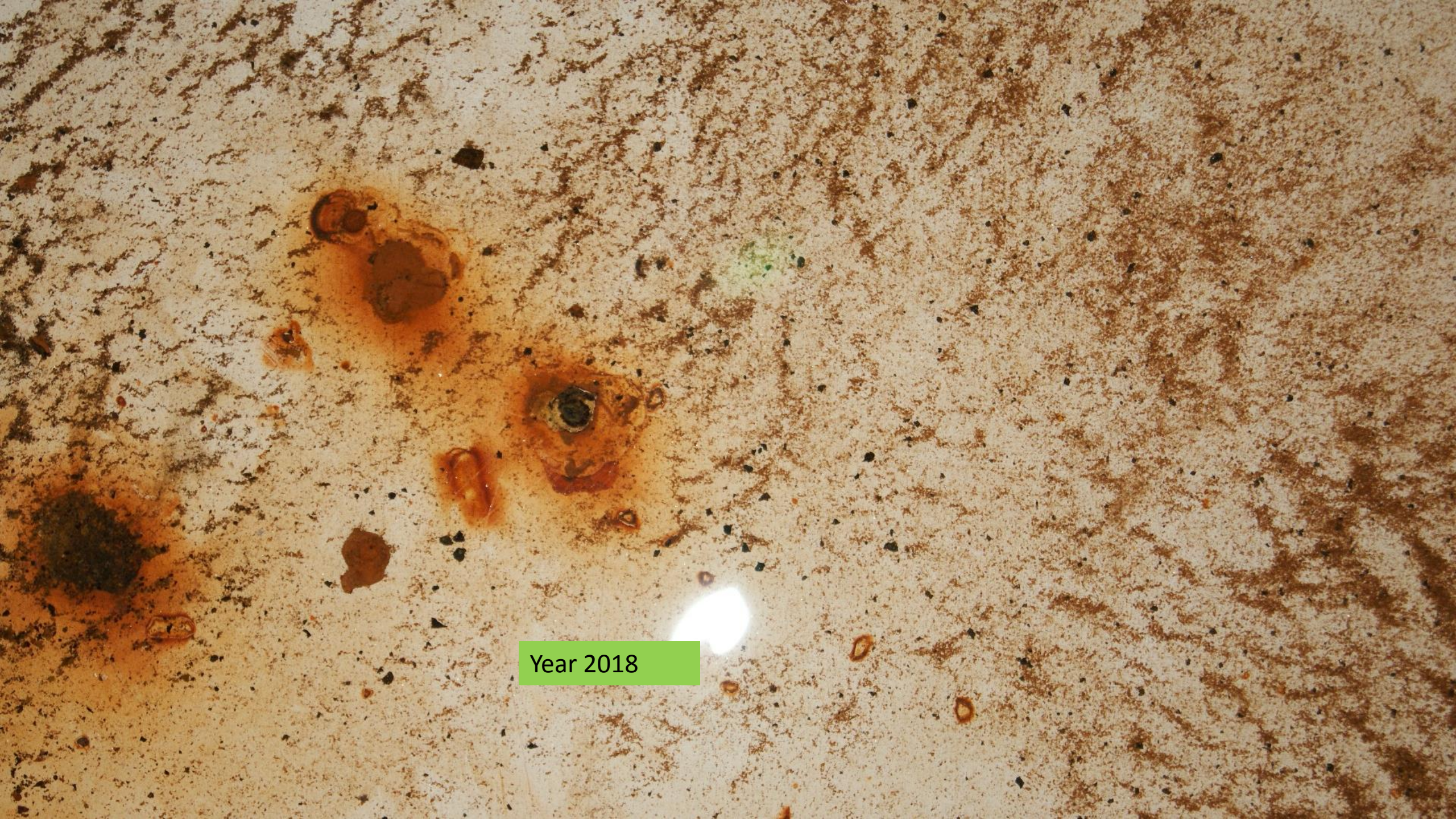
Year 2010 Outside Tanks



Year 2014







Year 2018



Year 2018



4" Knife





Year 2020



Year 2020



**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 7.

Short Title: Stormwater Management Plan

Initiated By: Kevin Campbell, City Engineer and Cameron Woodbury, Drainage Utility Operator

Staff Representative: Kevin Campbell, City Engineer

**SUBJECT**

Consider adoption of the updated and corrected Stormwater Management Plan for Centerville City - Resolution No. 2021-08

**RECOMMENDATION**

Approve Resolution No. 2021-08 adopting the updated and corrected Stormwater Management Plan for Centerville City.

**BACKGROUND**

On August 4, 2020, the City Council adopted the updated Stormwater Management Plan for Centerville City to comply with recent State and Federal requirements for the Phase II permitting process for local stormwater management. As part of that approval, the City Council requested Staff to do a more comprehensive review of the document and to make some grammatical and formatting corrections and updates. Staff has reviewed and updated the Stormwater Management Plan as directed. The updated version of the plan is attached. A redline version is also attached. Staff recommends approval of Resolution No. 2021-08 adopting the updated and corrected Stormwater Management Plan (2021).

**ATTACHMENTS:**

Description

- Resolution No. 2021-08 - Stormwater Management Plan (2021)
- Stormwater Management Plan (2021) - Clean Version
- Stormwater Management Plan (2021) - Redline Version

**RESOLUTION NO. 2021-08**

**A RESOLUTION OF THE CENTERVILLE CITY COUNCIL ADOPTING AN  
UPDATED AND CORRECTED STORM WATER MANAGEMENT PLAN TO  
FACILITATE AND IMPROVE THE MANAGEMENT OF STORM WATER  
IN THE CITY IN ACCORDANCE WITH THE UTAH POLLUTION  
DISCHARGE ELIMINATION SYSTEMS (UPDES) AND THE NATIONAL  
POLLUTION DISCHARGE ELIMINATION SYSTEMS (NPDES)  
REGULATIONS**

**WHEREAS**, the City has previously adopted a Storm Water Management Plan in accordance with applicable State and Federal storm water regulations; and

**WHEREAS**, the City Council desires to adopt an updated and corrected Storm Water Management Plan as more particularly set forth herein to comply with recent State and Federal requirements of the Phase II permitting process for local storm water management; and

**WHEREAS**, the City Council finds that the adoption of the updated and corrected Storm Water Management Plan as set forth herein is in the best interest of the City and the public which it serves to provide a framework for storm water management and to comply with applicable State and Federal water quality requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1.     Adoption.** The City Council hereby adopts the Centerville City Storm Water Management Plan as more particularly set forth in **Exhibit A**, attached hereto and incorporated herein by reference.

**Section 2.     Severability.** If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

**Section 3.     Effective Date.** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,  
STATE OF UTAH, THIS 6<sup>th</sup> DAY OF APRIL, 2021.**

**CENTERVILLE CITY**

ATTEST:

\_\_\_\_\_  
Jennifer Hansen, Deputy City Recorder

By: \_\_\_\_\_  
Mayor Clark A. Wilkinson

## **CERTIFICATE OF PASSAGE AND EFFECTIVE DATE**

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

\_\_\_\_\_  
JANET S. DENISON, City Recorder

DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_ day of \_\_\_\_\_, 2021.

**EXHIBIT A**

**CENTERVILLE CITY**  
**STORM WATER MANAGEMENT PLAN**

# **CENTERVILLE CITY STORMWATER MANAGEMENT PLAN**

**UPDES Permit Number UTR090000**

**General Permit for Discharges from Small Municipal Separate Storm  
Sewer Systems (MS4s)**

**Submitted to:**

**State of Utah  
Department of Environmental Quality  
Division of Water Quality**



**Submitted by:**

**Centerville City, Public Works Department  
Drainage Utility Division  
655 North 1250 West  
Centerville, Utah 84014**

**Updated April 2021**



## PURPOSE

The purpose of the Stormwater Management Plan (SWMP) for Centerville City is to provide direction to satisfy Federal and State water quality requirements as set forth under the National Pollutant Discharge Elimination System (NPDES) and Utah Pollutant Discharge Elimination System (UPDES) permits. The purpose of the SWMP is to establish a program that effectively limits the discharge of pollutants from Centerville City's storm drainage system.

The SWMP for Centerville City outlines the implementation of controls in specific areas with the intention to prevent harmful pollutants from being carried by stormwater runoff into local water bodies. The six minimum control measures addressed under the UPDES permit are:

1. Public Education and Outreach on Stormwater Impacts
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination (IDDE)
4. Construction Site Stormwater Runoff Control
5. Post-Construction Site Stormwater Runoff Control
6. Pollution Prevention and Good Housekeeping for Municipal Operations

The SWMP for Centerville City includes the following information for each of the six minimum control measures:

- The Best Management Practices (BMPs) to be implemented
- The measurable goals for each of the BMPs
- The positions responsible for implementing the BMPs
- The funding required to implement the BMPs



CENTERVILLE CITY, UTAH  
STORMWATER MANAGEMENT PLAN

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## **SECTION 1 – INTRODUCTION**

### **1.1. Overview of the Stormwater Management Plan**

This Stormwater Management Plan (SWMP) provides an overview of integrated stormwater management, floodplain management, and technologies utilized by Centerville City for implementing the Stormwater Management Program. Additionally, this plan is designed to provide guidance for developers, contractors, and the general public based on the basic principles of effective urban stormwater management in the State of Utah. The Stormwater Management Plan will be implemented to limit the discharge of pollutants from Centerville City's storm drain system to the Maximum Extent Practicable (MEP).

### **1.2. Stormwater Management Plan Coordination**

Agency: Centerville City – Public Works Department – Drainage Utility Division

Division Contacts: Cameron Woodbury – Drainage Utility Supervisor  
Phone: 801-292-8232  
Michael Carlson – Interim Public Works Director  
Phone: 801-292-8232

#### **1.2.1 Davis County Storm Water Coalition**

The Davis County Storm Water Coalition (DCSWC or coalition) consists of representatives from 15 cities and Davis County, whose purpose is to minimize pollutants entering the storm drain systems and receiving water bodies, to comply with stormwater regulations, and to receive input from stakeholders. Representatives from other entities such as Hill Air Force Base, consultants, vendors, and contractors are also invited to participate. The Coalition meets regularly and plans to continue regular meetings during the coming years to discuss stormwater issues and coordinate activities.

The Coalition member entities initially entered into an interlocal agreement to jointly implement a portion of the SWMP in 2002. Coalition members have continued to perform coalition activities, and have committed to continue conducting and supporting ongoing Coalition activities. As a member of the Coalition, Centerville City will continue to work with other municipalities in Davis County for Coalition purposes. It is anticipated that the entities will jointly perform the following responsibilities:

1. Purchase educational and training materials, as determined by the Coalition, for distribution to:
  - a. Residents
  - b. Businesses
  - c. Developers/Contractors
  - d. Municipal Separate Storm Sewer System (MS4) Industrial facilities

2. Use the Coalition as a county-wide committee to:
  - a. Train personnel
  - b. Create partnerships
  - c. Obtain input and feedback from special interest groups
3. Annually contribute updated storm drain system information for county-wide mapping purposes.
4. Jointly prepare and promote a model ordinance that addresses:
  - a. Illicit discharges
  - b. Construction site stormwater runoff
  - c. Long-term stormwater management
5. Jointly arrange for and provide education about hydrologic methods and criteria for sizing post-construction BMPs.
6. Jointly participate to develop Standard Operating Procedures (SOPs).

### **1.3. Stormwater Management Plan Purpose and Goals**

The purpose of this Stormwater Management Plan (SWMP or Plan) is to facilitate and improve the management of stormwater in Centerville City with the intent of improving water quality. The goals for the SWMP are as follows:

1. Comply with the six minimum control measures as identified by the EPA NPDES Phase II requirements and UPDES permit, which include:
  - a. Public education and outreach activities to increase public participation in addressing stormwater issues and Best Management Practices (BMPs).
  - b. Minimizing illicit discharges through education and implementing a detection program.
  - c. Minimizing construction site runoff by education contractors and implementing practical institutional controls.
  - d. Improve and promote pollution prevention and good housekeeping practices.
  - e. Improve and promote practical and achievable BMPs and measurable goals.
  - f. Improve stormwater quality and comply with applicable local public notice requirements.
2. Increase protection from flooding through better floodplain management practices.

### **1.4. Staffing and Resource Allocations**

Management and oversight of the Stormwater Management Plan is funded by Centerville City through the City's Drainage Utility Fund. The revenue source of this fund is a utility fee assessed City-wide.

Much of the implementation of the Stormwater Management Plan is performed by the Drainage Utility Division. Some parts of the Plan will be implemented by other departments within the City as outlined in the Plan.



### **1.5. Creation of the Drainage Utility Division**

In 1997, the City Council appointed a citizen advisory committee to review the City's drainage problems and recommend solutions. The committee initially focused on subsurface drainage problems but concluded that the City needed to address both surface (i.e. stormwater) and subsurface drainage in a comprehensive and integrated manner. The committee recommended a regular maintenance program for publicly owned drainage facilities and recommended the creation of a drainage utility enterprise funded by monthly user fees.

In 1999, Centerville City, assisted by a consultant with a nationwide experience established a Drainage Utility. As a result of the establishment of the utility, the City created the Drainage Utility Division of the Department of Public Works. The purpose of the Drainage Utility Division is to manage the operation and maintenance of the City's drainage infrastructure and to achieve compliance with the Environmental Protection Agency NPDES Phase II regulations.

The Drainage Utility Division provides Centerville City with a financial mechanism from which to address both water quantity and water quality issues associated with Phase II requirements and permitting process. Centerville City considers the utility to be a viable nonstructural BMP that will enable the City to generate revenues for stormwater-related improvements. The implementation of the utility is an integral part of an effective Stormwater Management Program. The Drainage Utility will be instrumental in meeting the requirements of the Phase II permitting process and in developing BMPs for stormwater management to address non-point source pollution and flood control management.

### **1.6. Drainage Utility Mission Statement**

The mission of Centerville City's Drainage Utility and Stormwater Management Plan is to develop, implement, operate, and fund stormwater and subsurface water drainage systems. This includes the acquisition, construction, operation, maintenance, and regulation of the systems. The program is intended to safely and efficiently control drainage runoff, enhance public health and safety, facilitate mobility and access to homes and businesses during and after storm events, protect lives and property, complement and support other City programs and priorities, reduce the discharge of pollutants to receiving waters, and enhance the natural resources of the community.

## **1.7. Stakeholders**

The success of any plan depends on the support and involvement of the stormwater plan stakeholders. Stakeholders should be cognizant of their involvement and how they can play an important role in the Stormwater Management Plan's success.

See **Table 1** for lists of the stakeholders and their interest in the SWMP.

## **1.8. Overall Environmental Concerns**

### **1.8.1 General**

The overall program goal is to implement the stormwater program according to the SWMP and permit requirements. Annually reviewing the status of each program implemented, according to the goals, will provide a way to measure the effectiveness of the program in general.

Stormwater runoff from Centerville City is received by five creeks: Lone Pine Creek, Ricks Creek, Barnard Creek, Parrish Creek, and Deuel Creek. Each of these creeks ultimately discharge to the Great Salt Lake. None of the portions of these streams receiving the city's stormwater discharge are listed as impaired (per the Clean Water Act Section 303(d) list of approved TMDLs on the Utah Division of Water Quality website) or as "high quality" streams (per Utah Administrative Code R317-2-12 and R317-2-13.7(b)). Oversight and maintenance of these streams fall under the jurisdiction of the Davis County Public Works Department (with the exception of Lone Pine Creek).

### **1.8.2 Threatened and/or Endangered Species**

Based upon information from the US Fish and Wildlife Services website, there are no official listings of threatened or endangered species in Centerville City.

### **1.8.3 Historic Properties**

Centerville City will comply with current law as it pertains to stormwater construction activities adjacent to historic properties. City projects supported by federal, state, or Redevelopment Agency funds which impact a Historic Property (listed on the National Register of Historic Properties or at least 50 years old) will allow a 30-day advance evaluation period of the project and affected site by the State Historic Properties Officer prior to any modification being made. The City will notify the State Historic Preservation Officer in writing. Further information regarding Centerville City's historic properties ordinances can be found in CZC 12.61 (Historic Buildings and Sites).

**Table 1. Stakeholders Involved in the Stormwater Management Plan**

<b>Stakeholder</b>	<b>Interest</b>
Centerville City Community Development Department	Prepares and develops ordinances related to land use and construction of stormwater controls on new and redeveloped properties. Building inspectors will be involved in the enforcement and compliance of ordinances. Construction permits are issued through this department.
Centerville City Public Works Department	Oversees the operations of the Drainage Utility Division in preparing and implementing the Stormwater Management Plan. Coordinates with Street and Water Divisions on stormwater-related issues, as well as, participation in pollution prevention and good housekeeping activities.
Centerville City Parks and Recreation Department	Manages and maintains City-owned open space. Uses BMPs and participates in pollution prevention and good housekeeping activities.
Business Owners	Minimizes the impacts to stormwater by employing BMPs and participates in pollution prevention and good housekeeping activities. Pay fees associated with the Drainage Utility.
Contractors and Builders	Minimizes the impacts to stormwater by employing BMPs and participates in pollution prevention and good housekeeping activities. Obtains stormwater permits from Centerville City.
Centerville City Residents	Minimizes the impacts to stormwater by employing BMPs and participates in pollution prevention and good housekeeping activities. Pays fees associated with the Drainage Utility. Identifies stormwater management issues and develops new ideas.
Davis County	Coordinates stormwater management activities, such as public education and monitoring of creeks. Partners in protecting the watershed and water resources of the community. Identifies stormwater management issues and develops new ideas.
Davis County Storm Water Coalition (DCSWC)	Coordinates stormwater management activities, such as public and municipal education. Identifies stormwater management issues and develops new ideas.

## **SECTION 2 – AUTHORITY & BACKGROUND**

Centerville City's policies must be consistent with the regulatory requirements of local, county, state, and federal entities. Several of the entities and the requirements they impose are described in the following sections.

## **2.1 Federal**

### **2.1.1 Clean Water Act – 33 U.S.C. Chapter 26**

In 1972, Congress enacted the first comprehensive national clean water legislation in response to growing public concern for serious and widespread water pollution. The Clean Water Act (CWA) is the primary federal law that protects our nation's waters, including lakes, rivers, aquifers, and coastal areas. The CWA provides the backbone for the national approach to water quality policy and action.

The objective of this federal law is the total elimination of the discharge of pollutants into the nation's navigable waters and to restore and maintain the integrity of the nation's waters. This objective translates into two fundamental national goals:

1. Eliminate the discharge of pollutants in the nation's waters.
2. Achieve water quality levels that are fishable and swimmable.

The CWA focuses on improving the quality of the nation's waters. It provides a comprehensive framework of standards, technical tools, and financial assistance to address the many causes of pollution and poor water quality, including municipal and industrial wastewater discharges, polluted runoff from urban and rural areas, and habitat destruction. For example, the CWA:

1. Requires major industries, to meet performance standards to ensure pollution control.
2. Charges states and tribes with setting specific water quality criteria appropriate for their waters and developing pollution control programs to meet them.
3. Provides funding to states and communities to help them meet their clean water infrastructure needs.
4. Protects wetlands and other aquatic habitats through a permitting process that ensures development and other activities are conducted in an environmentally sound manner.

Point and non-point source discharges are the two types of discharges defined in the CWA. The CWA has three main requirements:

1. Municipalities are required to effectively prohibit non-stormwater discharges into the publicly owned or operated storm drain system.
2. Municipalities are required to control the discharge of pollution into the storm drain system to the maximum extent practicable.

3. Municipalities are required to have one system-wide permit rather than individual discharge permits for each point.

Although pollutants entering the storm and surface water systems are primarily non-point in nature, discharges from the storm and surface water systems have been defined as point sources (40 CFR Section 122.45). As a result, storm and surface water systems are subject to the permitting process of the CWA's National Pollutant Discharge Elimination System (NPDES).

#### 2.1.2 NPDES Phase II Stormwater Permit

The NPDES Phase II Stormwater Permit focuses on small municipalities and is issued by the Environmental Protection Agency (EPA). The program's main objective is to control non-point source pollution of waterways in urban areas to the maximum extent practicable (MEP). The application deadline for Phase II municipalities was March 2003. The Phase II permit required the community to prepare a Notice of Intent (NOI) which describes the BMPs to be implemented to fulfill EPA's goal of public education and outreach on stormwater impacts, public involvement and participation, illicit discharge detection and elimination, construction site runoff control, post-construction stormwater management in development and re-development, and pollution prevention and good housekeeping of municipal operations.

#### 2.1.3 Federal Emergency Management Agency (FEMA)

FEMA was created to provide accountability for all federal emergency preparedness, mitigation, and response activities. FEMA is organized to strengthen the multiple uses of emergency preparedness and response resources at the federal, state, and local levels of government in preparing for and responding to the full range of emergencies and to integrate into a comprehensive framework activity concerned with hazard mitigation, preparedness planning, relief operations, and recovery assistance.

FEMA oversees the National Flood Insurance Program (NFIP). The NFIP is a federal program enabling property owners in participating communities to purchase insurance protection against flooding.

The U.S. Congress established the NFIP with the passage of the National Flood Insurance Act of 1968. The NFIP was broadened and modified with the passage of the Flood Disaster Protection Act of 1973 and other legislative measures. It was further modified by the National Flood Insurance Act of 1994, signed into law on September 23, 1994. The NFIP is administered by the Federal Insurance Administration and the Mitigation Directorate (MT), which are components of FEMA. The full requirements of the NFIP can be found in 44 CFR Parts 59, 60, 65, and 70.

Participation is based on an agreement between local communities and the federal government that states if a community will adopt and enforce a floodplain management ordinance to reduce future flood risks to new construction in Special Flood Hazard Areas,



the federal government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods.

Centerville City participates in the National Flood Insurance Program (NFIP). Further information regarding Centerville City's flood hazard and prevention ordinances can be found in CMC 9.08 (Flood Damage Prevention).

#### **2.1.4 Protection of U.S. Waters**

The United States Army Corps of Engineers (ACE) of the Department of Defense manages and constructs civil works programs which include research and development, planning, design, construction, operation and maintenance, and real estate activities related to rivers, harbors, and other bodies of waters. ACE administers laws for protection and preservation of navigable waters and related resources such as wetlands. ACE's authority for the protection of navigable waters falls under Section 404 of the U.S. Rivers and Harbors Act of 1899. Section 10 of the Rivers and Harbors Act prohibits any obstruction or alteration of navigable waters without an ACE permit. The term navigable waters has a broad definition which states that wetlands are included along with streams having average annual flows greater than 5 cubic feet per second. ACE also assists in recovery from natural disasters.

### **2.2 State**

The State of Utah has a Department of Environmental Quality (DEQ) whose mission is to *“protect, maintain and enhance the quality of Utah's surface and underground waters for appropriate beneficial uses; and to protect the public health through elimination and preventing water related health hazards which can occur as a result of improper disposal of human, animal or industrial wastes while giving reasonable consideration to the economic impact.”*

The State Department of Environmental Quality is responsible to oversee the EPA NPDES Phase I and Phase II stormwater regulations and issue Utah Pollutant Discharge Elimination Systems (UPDES) permits in the State of Utah. The Utah Administrative Code Title R317 – Environmental Quality, Water Quality sets forth the requirements and procedures needed for compliance with state law. Utah Administrative Code R317-8.3.9 specifically lists the requirements for municipalities to obtain a UPDES permit from the State of Utah. The UPDES permit will be issued in compliance with the provision of the Utah Water Quality Act, set forth in Title 19 Chapter 5, of the Utah Code.

### **2.3 County**

Davis County is responsible for flood control and maintenance of the creeks that transverse through Centerville City. Davis County Ordinance 01-87 and 02-98 sets forth the policy and procedures used by the County to provide this service. Coordination must

be made with the county on projects that affect any of the creeks or right-of-way issues related to them.

## **2.4 Local**

Currently, Centerville City has several ordinances that pertain to various aspects of stormwater management. Some of these ordinances have been modified to meet compliance with the new federal and state laws associated with the NPDES and UPDES permit requirements and to be more effective in improving the quality of stormwater runoff. With the implementation of this updated SWMP, additional ordinances may be required.

The following is intended as a brief overview of the ordinances currently enacted by Centerville City. A more detailed analysis and application of these ordinances will be included when needed to describe their application to the Stormwater Management Plan.

### **2.4.1 TITLE 16 Stormwater**

### **2.4.2 TITLE 7 Public Health and Safety**

#### **2.4.2.1 Chapter 7.08**

Chapter 7.08 (Solid Waste and Recycling) addresses garbage and litter issues such as collection, transportation, and proper disposal of hazardous materials and other wastes.

### **2.4.3 TITLE 11 Streets**

#### **2.4.3.1 Chapter 11.01**

Chapter 11.01 (Streets and Public Ways) prohibits placing trash or other obstruction in streets, gutters, or sidewalks. Section 11.01.080 prohibits placing or mixing sand or gravel on a paved street or sidewalk. Such restrictions can help avoid adding large amounts of sediments to stormwater during storm events.

### **2.4.4 TITLE 12 Zoning**

#### **2.4.4.1 Chapters 12.01, 12.23, 12.42, 12.50**

These chapters set forth the planning and zoning ordinances of the City. The ordinances found in these regulations include provisions for hillside development, general land use, sediment and erosion controls, construction standards and specifications, zoning issues and provides for inspection and enforcement of these activities.

## 2.4.5 TITLE 15 Subdivisions

Title 15 is also known as the Centerville Subdivision Ordinance. It provides rules, regulations, standards, and specifications which regulate subdivision growth and development in the City. The Community Development Department is the primary overseer of the majority of the requirements found in Title 15 (Subdivisions) as well as those in Title 12 (Zoning).

## SECTION 3 – NPDES PHASE II REQUIREMENTS

### 3.1 Public Education and Outreach

#### 3.1.1 Requirements

**REQUIRED:** Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

An informed and knowledgeable community is crucial to the success of the stormwater management program since it helps to ensure the following:

1. Greater support for the program as the public gains a greater understanding of the reasons why it is necessary and important.
2. Greater compliance with the program as the public becomes aware of the personal responsibilities expected of them and others in the community, including the individual actions they can take to protect or improve the quality of area waters.

The basic requirement of the public education and outreach control measure is to communicate the impacts of stormwater discharges and the steps to reduce stormwater pollution. The EPA requires that a public education program be implemented to distribute education materials to the community or to conduct equivalent outreach activities about the impacts of stormwater discharges on local water bodies and the steps that can be taken to reduce stormwater pollution. The EPA also requires that appropriate BMPs and measurable goals be included as a part of the program.

Based on recommendations from the EPA and requirements of the State of Utah the following goals have been considered when determining which BMPs Centerville City will implement as part of the Stormwater Management Plan.

### 3.1.2 Goals

1. Inform the public of the need for stormwater management and their critical role.
2. Develop a program that promotes, publicizes, and facilitates public reporting of the presence of illicit discharges or improper disposal of materials.
3. Develop a program that promotes, publicizes, and facilitates the proper management and disposal of used oil and household hazardous wastes.
4. Inform public employees, businesses, and the general public about the hazards associated with the illegal discharges and disposal of wastes.
5. Encourage the proper use, application, and disposal of pesticides, herbicides, and fertilizers by commercial and private applicators and distributors.

The BMPs that Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah. Many NPDES Phase I communities have instituted similar activities with much success. The three main areas that Centerville City will implement public education and outreach activities include:

1. Forming partnerships.
2. Using appropriate educational materials and strategies.
3. Reaching diverse audiences.

### 3.1.3 Forming Partnerships

It would be cost-prohibitive for Centerville City to create an education and outreach program on its own. With this restriction in mind, Centerville City will continue partnerships with other communities and entities where possible and practicable. There is already an existing program in Davis County that reaches residents in our community known as the Davis County Stormwater Coalition.

### 3.1.4 Proposed BMPs

1. Continue participation with the Davis County Storm Water Coalition (DCSWC).
  - a. DCSWC provides the opportunity to meet with Utah State officials who monitor and regulate construction sites, industrial sites, and Municipal Separate Storm Sewer Systems (MS4s). Participation and collaboration allow Centerville City to remain aware of current stormwater concerns.
  - b. Participate with the Davis County Storm Water Coalition. Centerville pays an annual fee to the Davis County Storm Water Coalition to pay a portion of the costs associated with their program. In return, Centerville City receives materials to use in its community. This partnership eliminates duplication of services and provides opportunities that the City could not otherwise afford. Davis County Storm Water Coalition consists of representatives from 15 cities including Davis County and Hill Air Force Base. The Coalition's purpose is to reduce the load of pollutants entering the storm drains and receiving water bodies and to comply with stormwater regulations. The coalition meets monthly and coordinates the



purchase of educational material, school program presentations, municipal and construction site training opportunities, and compliance with state stormwater regulations.

2. Continue purchasing brochures and TV advertisements. Part of the fees paid to the Davis County Storm Water Coalition is applied to the purchase of brochures and TV advertisements. Brochures are used to tag doors in neighborhoods where stormwater pollution is found. Brochures are also used when service projects apply storm drain stencils to catch basins
3. Continue public information presentations. The Davis County Storm Water Coalition pays for one teacher to educate all of the fourth-grade students within Davis County concerning stormwater. The Coalition also participates in Water Fairs and each year provides an educational booth at the Davis County Water Fair. The Coalition has also conducted both construction site stormwater training for contractors and municipal site stormwater training for municipal employees.
4. Create economic incentives for businesses and new development. Centerville is considering offering a drainage utility discount for businesses that participate in stormwater educational opportunities or who install specific stormwater treatment devices and structural or nonstructural BMPs.
5. Target commercial businesses. Commercial businesses contribute to stormwater pollution through the use of bad housekeeping procedures. The City plans on inspecting commercial businesses and then providing them with options for structural and nonstructural BMPs.
6. Develop annual stormwater insert for City Newsletter. The Centerville City newsletter is an effective way of reaching the public. Each year a stormwater insert will be included in the newsletter informing the public about stormwater concerns and what they can do to prevent stormwater pollution.
7. Promote low-impact development. Low impact development techniques help to reduce stormwater pollution. Low impact development depends on coordination with the Community Development Department.

See **Table 2** for Status of Measurable Goals for Public Education and Outreach.

### 3.1.5 Funding

Funding to participate with existing coalitions will be an expense of the City's Drainage Utility Fund. Coalition funding has varied per year depending on the activities and participation of other cities.

## 3.2 Educational Materials and Strategies

There are many outside sources where the City can obtain existing educational materials. Many of these materials can be used as-is or can be modified to meet our specific local needs. Participation with other organizations, such as the Davis County Stormwater Coalition, reduces the cost of some materials due to the scale of the economy.

### 3.2.1 Proposed BMPs

1. Develop and maintain a library of educational materials for the community and school groups. This collection of information will be used to prepare brochures, handouts, the website, and other materials used in promoting the Stormwater Management Plan (SWMP).
2. Develop brochures and/or fact sheets for the general public that provide information on the City's storm drain system, flood control activities, and other stormwater-related issues. These brochures should emphasize the impact of stormwater discharges on our local water bodies and steps that can be taken to reduce or eliminate pollutants from entering stormwater runoff.
3. Develop and maintain a website related to our stormwater program and stormwater issues.
4. Continue publication of the stormwater hotline that is used to answer questions and concerns from the public as well as providing information. The stormwater hotline also facilitates reporting the presence of illicit discharges or the improper disposal of materials into the storm drain system.
5. Continue the storm drain stenciling program.
6. Continue the educational program for school-age children (fourth graders) as managed by the Davis County Storm Water Coalition (DCSWC).
7. Develop alternative information sources, such as bumper stickers, refrigerator magnets, posters, key chains, etc. which will promote public awareness and participation.

### 3.2.2 Funding

Funding for the proposed BMPs in Section 3.2.1 will be an expense of the City's Drainage Utility Fund. The associated costs to participate have yet to be determined as some of these activities will be dependent upon the City's participation in the Davis County Storm Water Coalition.

See **Table 3** for Status of Measurable Goals for Education Materials and Strategies.

**Table 2. Status of Measurable Goals for Public Education and Outreach**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Prepare agreements to participate with the existing Davis County Stormwater Coalition	Drainage Utility	Unknown	Drainage Utility Fund	Active	2003	Agreements are active and reoccur annually.
Year 1	Develop a Centerville Stormwater Committee	Drainage Utility, Mayor/City Manager	Volunteers	None	Dropped	n/a	Interest for this committee never materialized. Will reconsider at a later date.
Year 2-5	Participation with DCSWC	Drainage Utility Supervisor	Averaged cost approximately \$4,500/ year	Drainage Utility Fund	Active	2003	Active participation has allowed the City to gain valuable knowledge regarding local, state, and federal Stormwater Regulations.
Year 2-5	Stormwater Committee reviews the Stormwater Management Plan and other activities and suggests appropriate changes and modifications annually	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Dropped	n/a	Interest for this committee never materialized.



**Table 3. Status of Measurable Goals for Education Materials and Strategies**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Yearly	Mail one brochure with information on stormwater-related issues through the City newsletter. The newsletter is distributed to all postal customers in the city	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	Completed in Year 5 of 2003-2008. Included in 2015-2020 SWMP.
Year 3	Implement a stormwater hotline for information and reporting	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2003	Completed. Included in the 2008-2013 SWMP under Illicit Discharge Detection and Elimination.
Year 3-5	Start a storm drain stenciling program	Drainage Utility Supervisor	To be determined	Drainage Utility Fund	Active	2003	Storm drain stenciling continues.
Year 3-5	Develop or participate in an educational program for school-age children	Drainage Utility Supervisor	To be determined	Drainage Utility Fund	Active	2003	Ongoing through the Davis County Storm Water Coalition.
							(continued)

Year 3-5	Distribute specific pollution prevention information to target groups such as businesses, churches, schools, etc.	Drainage Utility Supervisor	\$50-\$150	Drainage Utility Fund	Active	2007	Ongoing
Year 3-5 (or as available by the Coalition)	Development of alternative information sources, such as bumper stickers, refrigerator magnets, posters, key chains, etc.	Drainage Utility Supervisor	To be determined	Drainage Utility Fund	Active	n/a	Some materials distributed through the Davis County Stormwater Coalition.

### **3.3 Reaching Diverse Audiences**

To be the most effective, our outreach program must address the viewpoints and concerns of a variety of audiences, including minority and disadvantaged communities, as well as children.

#### **3.3.1 Proposed BMPs**

1. Diversify the materials and strategies used.
2. Specifically, target different audiences with appropriate brochures or activities. This includes focusing on specific business types such as gas stations, greenhouses, car washes, etc., and other groups or entities which may impact stormwater runoff in the community.
3. Distribute the materials through individual letters, the City newsletter, local schools, the Neighborhood Network, and other civic groups.

#### **3.3.2 BMPs/Activities being implemented by Davis County and the Davis County Storm Water Coalition**

##### **CURB MARKERS**

Davis County has coordinated the purchase of curb markers with both a common countywide logo and each City logo on the stencil. The markers are available for community groups, such as civic, PTA, service organizations, and scouts to place them on curb inlets throughout each City.

##### **TEACHING AT PUBLIC SCHOOLS**

The Davis County Storm Water Coalition has contracted with an independent teacher to give presentations to all fourth-grade classes in all of the elementary schools within Davis County.

Materials used in the school demonstration have been jointly purchased and are owned by the cities and the County. The materials and supplies are stored in the County Public Works office and are made available to each city on a reservation basis.

##### **COORDINATION WITH UTAH STATE UNIVERSITY EXTENSION SERVICE**

Representatives from the Davis County Storm Water Coalition will:

1. Demonstrate the stormwater model at Extension school agriculture field day in April or May to over 1,000 elementary school students.
2. Display stormwater pamphlets at the Utah House and pavilion at Utah Botanical Center in Kaysville.
3. Promote educational tours for groups to visit the botanical center ponds, which are fed by stormwater.
4. Provide articles on stormwater in the USU Extensions newsletter which goes out every month to over 1,000 people.



5. Add stormwater bulletins to the Extension bulletin display in the courthouse.

#### DEMONSTRATION DETENTION POND

Davis County has constructed a small detention pond and grass swales at the Public Works facilities in Fruit Heights. This facility demonstrates how water from shops and parking lots can be treated before it leaves the site.

#### NEWSPAPER ARTICLES

At least annually, County personnel will prepare news articles to be published in the regional newspapers. The articles will relate current activities in the County, which demonstrate the progress being made to reduce the pollution of our streams.

Suggestions will be given concerning lawn fertilization, excess lawn watering, and dumping toxic waste and sand into the gutter systems. Instruction will be given as to how to properly dispose of used oil, antifreeze, and paints.

#### COMMUNITY AND RESIDENTIAL PROGRAMS

Promote public reporting of illegal dumping and illicit discharges. The purpose of public reporting is to enable the County or the Davis County Health Department to respond to citizen complaints regarding water quality. Reports may be called at phone number 801-451-3296. Procedures for formal complaints are in place. As necessary, Davis County Public Works will assist the Health Department to investigate the source of the pollution. Investigations and enforcement measures will be documented by the County.

Information booths will be on display at each city and County office building. The booth display will include the model used in the schools illustrating the hydrologic cycle in an urban setting and is accompanied by a series of pamphlets or other educational materials that explain how the public can help reduce pollutants exposed to rainfall. The materials that are handed out at the booths primarily consist of the current information developed by the Davis County Storm Water Coalition.

### 3.3.3 Funding

Funding for the proposed BMPs in Section 3.3.1 will be an expense of the City's Drainage Utility Fund. The associated costs to participate have yet to be determined as some of these activities will be dependent upon the City's participation in the Davis County Storm Water Coalition.

See **Table 4** for Status of Measurable Goals for Reaching Diverse Audiences.

**Table 4. Status of Measurable Goals for Reaching Diverse Audiences**

<b>Target Date</b>	<b>Activity/Goal/BMP</b>	<b>Responsible Entity</b>	<b>Cost</b>	<b>Funding Source</b>	<b>Status</b>	<b>Implementation Date</b>	<b>Assessment</b>
Year 1	Identify different target groups and appropriate materials to be used with each group	Drainage Utility Supervisor	~ \$150	Drainage Utility Fund	Active	2008	Prepare a list of various target groups and outlines of plans to address related issues developed.
Year 2-5	Develop brochures and/or fact sheets for the general public that provide specific information on stormwater-related issues for each target group.	Drainage Utility Supervisor	~ \$250	Drainage Utility Fund	Active	2007	Develop one brochure or fact sheet each year. Mailed in City Newsletter addressing stormwater issues for residents.
Year 2-5	Mail one brochure with information on stormwater-related issues to each target group.	Davis County Storm Water Coalition	~ \$200	Drainage Utility Fund	Active	2007	Mail one brochure to every target group identified. Mailed informational letter to targeted businesses in 2020.

### **3.4 Public Involvement/Participation**

#### **3.4.1 Requirements**

REQUIRED: Comply with state and local public notice requirements when implementing a public involvement/participation program. Public involvement/participation programs should include steps to foster and include public input in developing, implanting, and reviewing stormwater management programs.

An active and involved community is crucial to the success of the stormwater management program because it allows for:

1. Broader public support since citizens who participate in the development and decision-making process are partially responsible for the program and, therefore, may be less likely to raise legal challenges to the program and more likely to take an active role in its implantation.
2. Shorter implementation schedules due to fewer obstacles in the form of public and legal challenges and increased sources in the form of citizen volunteers.
3. A broader base of expertise and economic benefits since the community can be a valuable, and free, intellectual resource.
4. A conduit to other programs as citizens involved in a stormwater program development process provides important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when trying to implement a stormwater program on a watershed basis, as encouraged by the EPA.

The basic requirement of the public participation/involvement is to be in compliance with all applicable state and local public notice requirements. The EPA also requires that appropriate BMPs and measurable goals be included as a part of the program. The EPA recommends that the municipality provide opportunities for the public to participate in activities such as a local stormwater management panel or committee, volunteer monitoring, stream clean-up days, etc.

Based on recommendations from the EPA and requirements of the State of Utah the following goals have been considered when determining which BMPs Centerville City will implement as part of the Stormwater Management Plan.

#### **3.4.2 Goals**

1. Make efforts to reach out and engage all economic and ethnic groups in the community.
2. Provide opportunities for members of the public to participate in the development and implementation including serving as a citizen representative on a local stormwater management panel, attending public hearings, working as citizen volunteers to educate other individuals about the program, assisting in program



- coordination with pre-existing programs, or participating in volunteer monitoring efforts.
3. Promote, publicize, and facilitate other information community and industrial help projects like stream watch programs, workshops, speaking engagements, inlet stenciling programs, brochures, public service announcements, and/or other outreach measures (surveys, counts, or other feedback may measure the success of these programs).

The BMPs that Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah.

### 3.4.3 Proposed BMPs

1. Full compliance with state and local laws regarding the advertisement and notification of public hearings and other related meetings regarding the development and implementation of the stormwater management plan.
2. Develop and implant a Centerville Stormwater Committee to give input, feedback, and recommendations to the implementation of the stormwater management plan.
3. Use the Centerville Stormwater Committee to develop and promote the BMPs associated with the Public Information and Outreach part of the Stormwater Management Plan.
4. Continue the storm drain stenciling program.
5. Involve the community in community clean-ups along local creeks, ditches, swales, and other drainage areas.
6. Develop a citizen watch group and/or adopt a storm drain program to encourage individuals or groups to keep storm drains free from debris and aid local officials in identifying polluters and monitor what is entering the local waterways through the storm drain system.

### 3.4.4 Funding

Funding for the proposed BMPs in Section 3.4.3 will be an expense of the City's Drainage Utility Fund.

See **Table 5** for Status of Measurable Goals for Public Involvement/Participation.

**Table 5. Status of Measurable Goals for Public Involvement/Participation**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Establish guidance for full compliance with State and local laws regarding the advertisement and notification of public hearings	Drainage Utility Supervisor  City Recorder	~ \$100	Drainage Utility Fund	Active	2007	Document all public hearings held regarding stormwater.
Year 1	Develop a Centerville Stormwater Committee	Drainage Utility Supervisor, Mayor, City Manager	Volunteers	None	Dropped	n/a	Dropped from the plan due to lack of participation. Will reconsider in the future.
Year 2-5	Schedule at least one community clean-up day or other volunteer projects to clean up local drainage ways	Drainage Utility Supervisor  Centerville Stormwater Committee	Unknown	Drainage Utility Fund	Planned	To be determined	Document the date and activity held.
							(continued)

Year 3-5	Implement a citizen's watch group.	Drainage Utility Supervisor Centerville Stormwater Committee	Unknown	Drainage Utility Fund Centerville City	Dropped	n/a	Dropped from the plan due to lack of participation. Will reconsider in the future.
Year 4-5	Implement an adopt-a-storm drain program.	Drainage Utility Supervisor Centerville Stormwater Committee	Unknown	Drainage Utility Fund	Planned	To be determined	Track the number of Storm drains adopted and track the maintenance performed.



### **3.5 Illicit Discharge Detection and Elimination**

#### **3.5.1 Requirements**

REQUIRED: Develop, implement, and enforce a program to detect and eliminate illicit discharges and improper dumping into the MS4 (as defined in 40 CFR 122.26(b)(2)).

1. Develop a stormwater system map, showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls;
2. To the maximum extent allowable under State or local law, effectively prohibit, through an ordinance, or other regulatory mechanisms, non-stormwater discharges into the system and implement appropriate enforcement procedures and actions;
3. Develop and implement a plan to detect and address non-stormwater discharges including illegal dumping into the system;
4. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;
5. Promote, publicize and coordinate or assist in the coordination of the establishment or availability of programs to collect used motor vehicle fluids (including oil and antifreeze) and to collect household hazardous waste materials (including paint, pesticides, herbicides, and other hazardous wastes) for recycling and reuse;
6. Unless identified by the permittee or the Executive Secretary as a significant source of pollutants to waters of the State, the following non-stormwater discharges need not be prohibited from entering the MS4, provided appropriate control measures, (if needed) to minimize the impacts, are developed and implemented under the SWMP:
  - a. Waterline flushing or other potable water sources.
  - b. Landscape irrigation or lawn watering.
  - c. Approved diverted stream flows.
  - d. Groundwater infiltration to storm drains.
  - e. Air conditioning condensation.
  - f. Natural riparian habitat or wetland flows.
  - g. Emergency firefighting activities,
  - h. Swimming pools (only if de-chlorinated in accordance with federal regulations to less than 0.4 PPM chlorine).
  - i. Discharges specified in writing by the Public Works Director as being necessary to protect public health and safety.
  - j. Promote and publicize a hotline for reporting illicit discharges.

Certain discharges are considered illicit because MS4s are not designed to accept, process, or discharge non-stormwater wastes. Illicit discharges enter the system through either direct connections (e.g., wastewater piping either mistakenly or deliberately connected to the storm drains) or indirect connections (e.g., infiltration from cracked sanitary systems, spills collected by drain outlets, or other contaminants dumped directly into a storm drain). The result is untreated discharges that contribute to high levels of

pollutants, including heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria into receiving water bodies. These increased pollutant levels can be high enough to significantly degrade receiving water quality and threaten aquatic, wildlife, and human health.

Based on recommendations from the EPA and requirements of the State of Utah the following goals have been considered when determining which BMPs Centerville City will implement as part of the Stormwater Management Plan.

### 3.5.2 Goals

1. Develop a stormwater system map, showing the location of all outfalls and the names and locations of all waters of the State that receive discharges from those outfalls.
2. Develop ordinance language that prohibits non-stormwater discharges into the storm drain system and provides for appropriate enforcement procedures and actions.
3. Develop a plan to detect and address non-stormwater discharges, including illegal dumping.
4. Educate public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste.

### 3.5.3 Proposed BMPs

1. Centerville City's storm drainage system is mapped and includes storm drains, sub drains, ditches, swales, culverts, creeks, catch basins, and manholes. Future plans include continuing to update storm drainage maps to include new development as well as improving the accuracy of existing infrastructure. The mapping system should be utilized to record illicit connections, cleanings, and video inspections and to track problem areas or systems that need to be re-inspected at the end of warranty periods.
2. Centerville City's Title 16 Storm Water Ordinance was adopted on July 1, 2007. Chapter 16.04 (Prohibited Actions) and Chapter 16.05 (Violations and Enforcement) regulate and identify non-stormwater discharges and enforcement options. Future plans include applying the ordinance in the field and presenting improvements and/or modifications to increase its effectiveness and enforceability.
3. Developing a plan to detect and address non-stormwater discharges will consist of four parts:
  - a. Locating Problem Areas – Centerville City will continue to video inspect its piped portion of the storm drain system to identify illicit or illegal connections. The City also plans to work with appropriate agencies, such as the Davis County Department of Health to identify other sources of illegal discharges. This may include sampling and monitoring of manholes, creeks, and/or other drainage ways, dye testing, and/or smoke testing.

- b. Finding the Source – Where applicable the City will perform testing or other investigations to determine the source of illicit discharges or dumping into the storm drain system.
  - c. Removing/Correcting Illicit Connections – If illegal connections are identified, the offenders will be notified and directed to correct the problem. Education efforts will also be used to train and resolve problems before taking legal action.
  - d. Documentation of the Actions Taken – All actions associated with identifying and correcting illegal discharges will be documented, including information such as the number of outfalls screened; complaints received and corrected; the number of discharges and quantity of flows eliminated; the number of tests performed, etc.
- 4. The City has begun both commercial and construction site inspections to identify non-stormwater discharges. The City also video inspects storm drain lines in existing and new development to ensure illicit connections have not been made. Building inspectors and the City Engineers have been informed about illicit roof drain to sub-drain connections. Future goals include improving the inspection and reporting process by increasing the regularity and number of inspections and recording inspections utilizing software that allows tracking and queries.
- 5. Educational outreach will be implemented under activities in Section 3.1 of this SWMP. City employees receive annual safety training in regards to stormwater pollution and types of illicit discharges. Some commercial businesses have been sent a BMP educational brochure that reviews stormwater pollution and various types of illicit discharges. The general public receives an annual City Newsletter that also reviews stormwater pollution and various types of illicit discharges. Future goals include reaching out to all of the businesses within Centerville by purchasing and mailing a stormwater brochure that specifically targets commercial sites.
- 6. The City newsletter publicizes the phone number for the Solid Waste District which accepts many common household hazardous wastes. Future goals include researching the feasibility of an annual City-wide cleanup day for hazardous waste to include the collection of paint, oil, antifreeze pesticides, herbicides, and other hazardous wastes.
- 7. Centerville City's Title 16 Stormwater Ordinance identifies non-stormwater discharges that are allowed. Future goals include monitoring discharges and adjusting the list of non-stormwater discharges as needed.

The BMPs that Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah.



#### 3.5.4 Funding

Funding for the proposed BMPs in Section 3.5.3 will be an expense of the City's Drainage Utility Fund.

See **Table 6** for Status of Measurable Goals for Illicit Discharge and Elimination

**Table 6. Status of Measurable Goals for Illicit Discharge and Elimination**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Map development	Drainage Utility Supervisor GIS Specialist	Unknown	Drainage Utility Fund	Active	2003	Map development continues as new systems are installed and old systems are cleaned and verified.
Year 2-3	Video inspections of problem areas	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Planned	2021	Inspect the entire system.
Year 2-4	Review ordinances	Drainage Utility Supervisor City Council	~ \$1,000	Drainage Utility Fund	Planned	2022	Ordinance adopted by City Council.
Year 4-5	Promotion of proper Hazardous Waste Disposal and hotline to report dumping violations.	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	Hotline established.

### 3.5.5 Spill Incident Response and Reporting

The following spill incident reporting chart will be used to respond to spills and report them to appropriate agencies:

- 
- A spill is observed or a Report of Spill comes in
    - Does the incident pose an immediate threat to life or health?
      - Yes – Call 911 (describe the material, amount, and extent)
        - describe the incident in the spill log
      - No – move to next step
    - Are you able to safely contain the spill with tools and/or material at hand?
      - Yes – Contain the spill and secure the area, then ensure clean-up is done
        - report according to the reporting list below; and
        - describe the incident in the spill log
      - No – move to next step
    - Is it during regular working hours?
      - No – Call 911 (describe the material, amount, and extent)
        - describe the incident in the spill log; and
        - on next working day report according to reporting list below
      - Yes – report according to reporting list below
        - describe the incident in the spill log
- 

#### **Pollutant Description**

Pollutant releases to water (surface or groundwater)  
Hydrocarbons (fuel, oil), release of 25 gallons or more  
Radiological Materials, any spill or release  
Extremely Hazardous chemicals, 2.2 lb. or more  
(e.g. Cyanides, Arsenic, Chlorine)  
Other Hazardous chemicals, 220 lb. or more  
Underground Storage Tank, any leaking or release

#### **Report to:**

Davis Co., UDEQ, & NRC  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
UDEQ

*Other spills, particularly those contained and cleaned up, do not need to be reported*

#### **Phone Contact List:**

Emergency	911
Davis County Environmental Health	801-525-5100
National Response Center (NRC)	800-424-8820 (24 hour)
Utah Dept. of Environmental Quality (UDEQ)	801-536-4123 (24 hour)
Utah Division of Solid and Hazardous Waste	801-538-6170
Utah Hazmat Response Officer	801-538-3745 (24 hour)



## **3.6 Construction Site Runoff Control**

### **3.6.1 Requirements**

REQUIRED: Develop, implement, and enforce a program to reduce pollutants in stormwater runoff from construction activities, including residential construction that result in a land disturbance. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction is part of a larger common plan of development that would disturb one acre or more. Minimum requirements include:

1. An ordinance or other regulatory mechanism requiring the implementation of proper erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law.
2. An ordinance or other regulatory mechanism shall, at a minimum, require construction operators to prepare a Stormwater Pollution Prevention Plan (SWPPP).
3. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices.
4. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.
5. Procedures for site plan review which incorporate consideration of potential water quality impacts.
6. Procedures for information submitted by the public.
7. Procedures for site inspection and enforcement of control measures.
8. The development of a written enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism which shall include procedures and sanctions.

### **3.6.2 Goals**

The BMPs that Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah.

The Construction Site Stormwater Runoff Control Program Section of the SWMP addresses water quality concerns for construction sites greater than or equal to one acre. Polluted stormwater runoff from construction sites often flow to storm drains and into receiving waters. This runoff can contribute more sediment to receiving waters than can be deposited naturally during several decades. The resulting siltation can cause physical, chemical, and biological harm to receiving waters. The BMPs described in this Section of the SWMP includes the development of a construction site program designed to reduce pollutants in stormwater runoff from construction activities. This program will include procedures for construction site plan review, site inspections, public reporting, contractor education, and notification of permit requirements to all construction site owners/operators.

This program will also be integrated with other facts of the SWMP to provide information and up-to-date BMPs to the end-user. The following BMPs describe implementation tasks to be completed by Centerville City for the Construction Site Stormwater Runoff Control Program.

### 3.6.3 Proposed BMPs

Centerville City has developed an ordinance with requirements for construction operators to use erosion and sediment controls and maintain appropriate structural and non-structural BMPs to reduce pollutants discharged during times of soil disturbances or excavation activities, along with penalties to enforce and ensure compliance. In addition, requirements have been developed for operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the site that may cause adverse impacts to water quality.

A construction site permit will be required for construction activities in accordance with the proposed ordinance. For the purpose of this permit, construction activities are defined as activities that change the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

An erosion control plan must be submitted for review and approval prior to commencing grading operations. The erosion control plan is intended to prevent erosion during the construction phase by implementing various erosion control measures as appropriate. Such measures may include temporary silt or sediment fences, sediment traps, and detention ponds, temporary and permanent vegetation, or other approved BMPs.

In addition, the permit requires operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste, and other construction-related pollutants at the site that may cause adverse impacts to water quality.

### CONSTRUCTION SITE PERMIT APPLICATION

A Stormwater Pollution Prevention Plan (SWPPP) must be submitted with the Permit Application. The SWPPP shall include the following information:

#### A. General Information

1. A site description which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.), and estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;

2. A description of the proposed measures and controls that will be implemented during construction activity and/or while the site is not stable. The SWPPP must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to Subsection (1). The SWPPP shall also state the name and phone number of the persons or entity responsible for the implementation of each control measure.

#### B. Goals and Criteria

1. The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable (MEP) the discharge of sediment, debris, and other construction-related pollutants from the construction site by stormwater runoff into the storm drain system.
2. The proposed measures and controls shall be designed to prevent or minimize, to the MEP, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris, or other potential pollutants onto public streets and rights-of-way. Any such discharge shall be cleaned up and removed immediately upon notification to the Permittee or when it otherwise comes to the attention of the Permittee. At a minimum, the deposit or discharge shall be cleaned and removed at the end of the work shift in which the deposit occurred, or at the end of the workday, whichever comes first.
3. The proposed measures and controls shall consist of BMPs available at the time that the SWPPP is submitted. BMPs may include, but shall not be limited to, temporary silt or sediment fences, sediment traps and detention ponds, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, establishment of temporary grasses, and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, subsurface drains, pipe slope drains, level spreaders, rock outlet protection, reinforced soil retaining systems, and gabions.
4. The proposed measures and controls shall be designed to preserve existing vegetation, where possible. Disturbed portions of the site shall be stabilized. Stabilization practices may include temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. The use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in disturbed portions of the site where construction activities have temporarily or permanently ceased, but in no case, more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, except under the following circumstances:



- a. If the initiation of stabilization measures by the 14<sup>th</sup> day after construction activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or
  - b. If construction activity on a portion of the site is temporarily ceased, and earth disturbing will resume within 21 days, temporary stabilization measures need not be initiated on that portion of the site.
5. The proposed measures and controls shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents, and other chemicals) from the construction site. Such measures may include the implementation of storage practices to minimize exposure of the material to stormwater as well as spill prevention and response.

#### SITE PLAN REVIEW

Centerville City will develop a procedure for site plan review, which incorporates considerations for potential short and long-term water quality impacts and minimizes these impacts, to the MEP. The site plan review shall include requirements for operators to control other wastes such as discarded building materials, concrete truck washout chemicals, litter, and sanitary waste that may adversely impact water quality.

Centerville City's Stormwater Ordinance supplies the framework for the Construction Site Stormwater program as well as the regulatory jurisdiction for enforcement. Site plan review and approval procedures have been developed.

Site plans will incorporate specific BMPs for erosion and sediment control purposes and other waste control measures. Consideration for proper operation and maintenance of control measures will be incorporated into the site plan review process.

Centerville City personnel who currently review site plans will evaluate stormwater controls. Guidelines for appropriate erosion and sediment control measures are part of the personnel training.

#### SITE INSPECTIONS

Centerville City has developed procedures for site inspection and enforcement of erosion control measures at construction sites to deter infractions. Procedures include steps to identify priority sites for inspection and enforcement based on the nature and extent of the construction activity, topography, and the characteristics of soils and receiving water quality.

Centerville City's Stormwater Ordinance supplies the framework for the Construction Site Stormwater program as well as the regulatory jurisdiction for enforcement. Regular inspections by qualified personnel will help to ensure erosion and sediment controls are operating properly and to identify problem areas. Procedures for site inspections and follow-up activities will be developed.

## PUBLIC REPORTING

The public can play a crucial role in identifying an instance of noncompliance. Public reporting can provide important assistance in preventing stormwater pollution during construction activities. Maintaining procedures for the receipt and consideration of public inquiries, concerns, and information submitted regarding stormwater runoff from local construction activities are key in preventing pollution.

As noted in the education section of the SWMP, Davis County will promote public reporting of illegal dumping and illicit discharges. The purpose of public reporting is to enable the County or the Davis County Health Department to respond to citizen complaints regarding water quality. Reports may be called at phone number 801-451-3296. Procedures for formal complaints are in place. As necessary, Davis County Public Works will assist the Davis County Health Department to investigate the source of the pollution. Davis County will document all investigations and enforcement measures, including any fee penalties.

## CONTRACTOR EDUCATION

Develop and distribute appropriate education and training materials for construction site operators. Contractor education on stormwater issues will be crucial in minimizing stormwater pollution during construction activities.

Guidance Document for Storm Water Management: The Davis County Storm Water Coalition has created a guidance document of BMPs for construction sites: *A Guide to Storm Water Best Management Practices* is available on the Centerville City website.

Additional Guidance Documents: EPA's *A Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices* and other appropriate publications will be made available.

## UPDES CONSTRUCTION PERMIT NOTIFICATION

Notify all construction permit applicants of their potential responsibilities under the UPDES permitting program for construction site runoff. Procedures for notification of UPDES permit requirements have been developed. Making construction permit applicants aware of UPDES permit requirements for construction activities is beneficial in minimizing stormwater pollutant runoff from such sites.

The table below represents measurable goals that are to be implemented and assessed during the permit term. The purpose of measurable goals is to gauge permit compliance and program effectiveness.

#### 3.6.4 Funding

Funding for the proposed BMPs in Section 3.6.3 will be an expense of the City's Drainage Utility Fund. Other sources of funding may include fees imposed on contractors, builders, developers, or costs incurred by them while implementing the selected BMPs in conjunction with their permits.

See **Table 7** for Status of Measurable Goals for Construction Site Runoff Control.



**Table 7. Status of Measurable Goals for Construction Site Runoff Control**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Review existing ordinances	Drainage Utility Supervisor, City Attorney, City Council	\$1,000	Drainage Utility Fund	Planned	To be determined	
Year 1-2	Modify existing ordinances or develop new ordinances regarding pollution prevention on construction sites	Drainage Utility Supervisor, City Attorney, City Council	Unknown	Drainage Utility Fund	Completed		
Year 2	Review selection of approved BMPs to be used by the City and contractors	Drainage Utility Supervisor	\$0	Drainage Utility Fund	Planned	To be determined	
Year 3	Train personnel and contractors/develop an education program	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	
Year 4-5	Enforcement of ordinance	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	

### **3.7 Post Construction Runoff Control**

#### **3.7.1 Requirements**

REQUIRED: The permittee must:

1. Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that is part of a larger common plan of development or sale or that has been designated to protect water quality, that discharge into the MS4. The program must ensure that controls are in place that will protect water quality that discharges into the MS4. The program must ensure that controls are in place that will protect water quality and reduce the discharge of pollutants to the maximum extent practicable.
2. Develop and implement strategies which include a combination of structural and/or nonstructural BMPs.
3. Develop and define a specific hydrologic method or for calculating runoff volumes and flow rates to ensure consistent sizing of structural BMPs and that include a plan review process.
4. Develop a program that includes a process that requires the evaluation of a Low Impact Development (LID) approach.
5. Develop and adopt an ordinance or other regulatory mechanism that requires long-term post-construction stormwater controls at new development and redevelopment sites. The permittee's ordinance or other regulatory mechanisms must include an appeals process and include enforcement provisions, including specific processes and sanctions.
6. Develop provisions for post-construction access for Permittees to inspect stormwater control measures on private properties that discharge to the MS4 to ensure that adequate maintenance is being performed.

#### Pollution Prevention/Good Housekeeping

REQUIRED: The permittee must:

1. Develop and implement an operation and maintenance program that includes a training component and is designed to reduce the discharge of pollutants to the maximum extent practicable, and
2. Include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

The Pollution Prevention/Good Housekeeping portion of the Stormwater Management Plan addresses routine activities in the operation and maintenance for drainage systems, roadways, parks, and open spaces, and other municipal operations to help ensure a reduction in pollutants entering

the storm drain systems. The program will implement BMPs to address specific roadway practices which include snow removal, deicing, salt pile management, and road crew training. This program will also focus on storm drainage system maintenance, structural floatable controls, maintenance yard practices, flood control projects, litter ordinance development, pesticide, herbicide, and fertilizer program, and spill prevention and response.

This program will also be integrated with the Public Education and Outreach, Public Involvement/Participation, and Illicit Discharges and Improper Disposal Programs to promote awareness of water quality concerns in performing routine roadway maintenance and operation, and other practices. The following BMPs describe implementation tasks and assessment tasks to be completed by Davis County for the Pollution Prevention/Good Housekeeping Program.

### 3.7.2 Goals

The BMPs that the City of Centerville has elected to implement are based on recommendations by the EPA and the State of Utah.

### 3.7.3 Proposed BMPs

#### STORM DRAIN SYSTEM MAINTENANCE

Maintain existing drainage system operation, maintenance, and cleaning procedures to reduce pollutants in stormwater runoff. Identify areas of chronic problems and develop and implement corrective actions for these areas. Personnel training is a component of this program. Proper system maintenance and employee training will help to reduce stormwater impacts from such activities as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

#### SNOW REMOVAL

Review and assess current snow removal and disposal procedures for prevention and reduction in stormwater pollution. Centerville City has a policy to keep all roads open and free of snow or ice pack during every storm. The salt application rate is based on the temperature and snowpack conditions on the road surface accordingly. It is the objective of the City to operate snow removal procedures in a manner to reduce the discharge of pollutants to the MEP, without compromising motorist's safety.

#### STORM DRAIN SYSTEM WASTE DISPOSAL

Review and assess current disposal procedures for waste removed from the storm drain system. Such wastes include dredge spoil, accumulated sediments, floatables, and other debris. Controls for reducing or eliminating the discharge of pollutants from areas such as roads and parking lots, maintenance and storage yards, and waste transfer stations will help to reduce the discharge of pollutants to receiving water bodies.

It is the intention of Davis County to work with communities to create a countywide disposal system for the proper removal and disposal of waste from the storm drain system to reduce the discharge of pollutants to the MEP. This site could also provide disposal for household hazardous materials like paint, pesticides, and oils as stated on page 14, concerning illicit discharges.

#### ROAD CREW TRAINING

Educate public employees regarding pollutants that may be discharged to storm drain systems and potential impacts. Proper training can reduce pollutants from such activities as tack oil application, excess concrete, concrete truck washout, and spill clean-up. Road crew training will occur at a minimum of once per permit term as part of a City-wide stormwater training program. The purpose of the training is to update public employees on stormwater issues and to provide a platform for a roundtable discussion on current practices and procedures and how they impact stormwater quality.

#### POLLUTION PREVENTION PRACTICES FOR MAINTENANCE YARDS

Pollution prevention measures at equipment yards and maintenance facilities. Proper controls and procedures at these locations will help to control polluted runoff. The shops and washing bays will drain into an oil and grease separator before flowing into the detention pond. Alternative BMPs will be implemented as appropriate to minimize pollutants entering the storm drain system from these facilities.

#### FLOOD CONTROL PROJECTS

Assess new and existing flood control projects with respect to water quality concerns and modify capital improvement projects as necessary. In order to accomplish this, the flood control permit checklist will contain a section for water quality review. Incorporate additional BMPs to reduce stormwater pollutants as appropriate. Personnel training will be a component of this program.

#### PESTICIDE, HERBICIDE, AND FERTILIZER PROGRAM

Maintain current inventory, evaluate pesticide, herbicide, and fertilizer usage on Centerville City properties by municipal employees. Current BMPs will be evaluated and implemented as appropriate to reduce the discharge of pollutants related to the application of pesticides, herbicides, and fertilizers applied by municipal employees or contractors to public right-of-ways, parks, and other municipal facilities.

Centerville City will assess and evaluate application procedures, rates, and implement BMPs to reduce the discharge of pollutants related to these activities. Potential alternative PHFs will be evaluated to minimize the discharge of pollutants to stormwater from PHF procedures and practices.

#### SPILL PREVENTION AND RESPONSE PROGRAM

Maintain the current Emergency Response Program. Maintain personnel on call to respond to reports of spills or discharges and the MEP, identify and investigate the source of the discharge and use the regulatory authority to take enforcement actions against violators to correct the illicit discharge activity. Local fire departments are also equipped



to respond to spills, to mitigate spills, and to eliminate the danger to human health. The current program will be evaluated for effectiveness and will be modified as necessary. Personnel training is an important component of this program.

#### MONITORING, RECORD KEEPING, AND REPORTING

The streams and channels located in David County do not have TMDL approved limits. Davis County Environment Health Department in cooperation with Weber Basin Water Quality Laboratory currently monitors sixteen streams or discharge points on a quarterly schedule. The sampling points are described as follows:

Lower Millcreek	Lower Stone Creek
Lower Farmington Creek	Lower Kays Creek
Lower Kays Creek near Hill Field Drain	North Davis Sewer Plant
North Davis Sewer Discharge Canal	West Gentile Drain
Upper Holmes Creek	Upper Millcreek
Upper Stone Creek	Upper Deuel Creek
Upper Barnard Creek	Upper Farmington Creek
Storet #49901	Storet #49902

The samples are analyzed for Total Dissolved and Suspended Solids, turbidity, Total Organic Carbon, Nitrate-Nitrite, Dissolved Orthophosphate, and Total Phosphorus.

The County has archived the sampling results, which provides a baseline reference for future investigations. As the stormwater management plans are implemented the sampling results may be reviewed and water quality trends established.

The Davis County Health staff will conduct periodic visual water quality monitoring and if obvious illicit discharges are noted, further investigation measures will be implemented to locate the source.

The sampling records are kept in the offices of the Davis County Environmental Health Department, located at 99 South Main, Farmington, Utah 84025.

#### 3.7.4 Funding

Funding for the proposed BMPs in Section 3.7.3 will be an expense of the City of Centerville's Drainage Utility Fund.

See **Table 8** for Status of Measurable Goals for Post Construction Site Runoff Control.

**Table 8. Status of Measurable Goals for Post Construction Site Runoff Control**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Review existing ordinances	Drainage Utility Supervisor City Attorney	\$0		Completed	2007	
Year 1-2	Review existing ordinances or develop new ordinances regarding pollution prevention on construction sites	Drainage Utility Supervisor, City Attorney, City Council	\$1,000	Drainage Utility Fund	Planned	To be determined	
Year 2	Review selection of approved BMPs to be used by the city and contractors	Drainage Utility Supervisor	\$0	Drainage Utility Fund	Ongoing	2008	
Year 3	Train personnel and contractors/develop an education program	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	
Year 1-5	Enforcement of ordinance	Drainage Utility Supervisor	Unknown		Active	2007	

## **SECTION 4 – LOW IMPACT DEVELOPMENT**

### **4.1 Low Impact Development (LID) Standards**

#### **4.1.1 LID Purpose for Centerville City**

The purpose of LID is to improve the quality of Centerville City's water resources and the water resources' beneficial use. The principal behind the LID regulation is to imitate natural hydraulic and geologic processes as much as reasonably possible. Water resources can be significantly impacted by developments of all types, especially modern urban developments. A significant portion of precipitation infiltrates back into the ground prior to development with much of the excess runoff being filtered by plants, these plants essentially pre-treat the runoff before reaching surface drainage ways. Urban developments and their drainage systems are more polluted and largely bypass the natural processes that were once present, this results in increased flooding and polluted waterways. Low Impact Development (LID) Standards assist in reducing potential flooding and the pollution of drainage systems. The City has elected to allow the following LID options:

#### **4.1.2 Options of LID Standards**

##### **1. BIORETENTION CELLS**

A Bioretention Cell is a stormwater Best Management Practice (BMP) designed to capture and treat runoff from impermeable surfaces. Stormwater flows over impervious surfaces and is conveyed as sheet flow down a vegetated slope, which slows the incoming runoff velocity and provides initial filtration of particulates from the runoff. The runoff continues to a ponding area where it is filtered by plants, an organic or mulch layer, and native or engineered soils. Many natural and biological processes, such as absorption and decomposition, occur during filtration. These processes remove pollutants and improve water quality. The filtered runoff can then be collected in an underdrain and returned to a stormwater system.

In addition to providing stormwater management benefits, such as runoff quantity control and pollutant removal, Bioretention Cells often result in cost savings by decreasing the need for traditional stormwater structures, such as inlets and pipes. Bioretention areas can also improve the aesthetics of areas such as parking lots or curbsides.

##### **2. BIOSWALES**

A Bioswale is a stormwater BMP that provides an aesthetically-pleasing alternative to concrete gutters and storm sewers, utilizing vegetated low-lying areas or troughs that use plant materials and specialized soil mixes to treat, absorb, and convey stormwater runoff. They convey stormwater runoff from a roadway or parking lot into a storm sewer system or other retention areas. Bioswales are able to absorb runoff from small rain events and treat larger amounts of runoff which are then directed to the larger stormwater management system. These can also reduce the overall runoff volume and flow rate which is received by the larger stormwater system.

### 3. VEGETATED STRIPS

Vegetated strips are vegetated surfaces that are designed to treat sheet flow from adjacent surfaces. They function by slowing runoff velocities and allowing sediment and other pollutants to settle and provide some infiltration into underlying soils.

Vegetated Strips are commonly operated as a pre-treatment stormwater BMP located upstream of other BMPs capable of greater pollutant removal rates. As a stand-alone BMP, vegetated strips can only treat the lowest intensity rainfall events.

### 4. INFILTRATION BASINS

Infiltration basins are shallow depressions created by excavation or berming that capture stormwater and stores the runoff until it can infiltrate into the soils. Infiltration basins provide the majority of treatment by processes related to soil infiltration, which include absorption, precipitation, trapping, straining, and bacterial degradation. The slowed, cleaned water is allowed to infiltrate native soils or directed to nearby stormwater drains or receiving waters.

Infiltration basins eliminate or dramatically reduce stormwater flow rates and volumes. They improve water quality by settling and filtering out pollutants, they recharge groundwater, and they can provide stormwater storage capacity in a large drainage area. Some of the advantages of this BMP are infiltration basins can be aesthetically pleasing if properly designed and maintained, they reduce the amount of runoff from drainage areas, they are effective at the removal of sediment loads and other pollutants, and they allow for flexibility of design layout to be able to fit most landscapes.

### 5. INFILTRATION TRENCHES

Infiltration trenches are shallow excavations that are lined with filter fabric and filled with stone to create underground reservoirs for stormwater runoff. The runoff gradually percolates through the bottom and sides of the trench into the surrounding subsoil over time. Infiltration trenches are typically implemented at the ground surface to intercept overland flows. Runoff can be captured by depressing the trench surface or by placing a berm at the downgradient side of the trench.

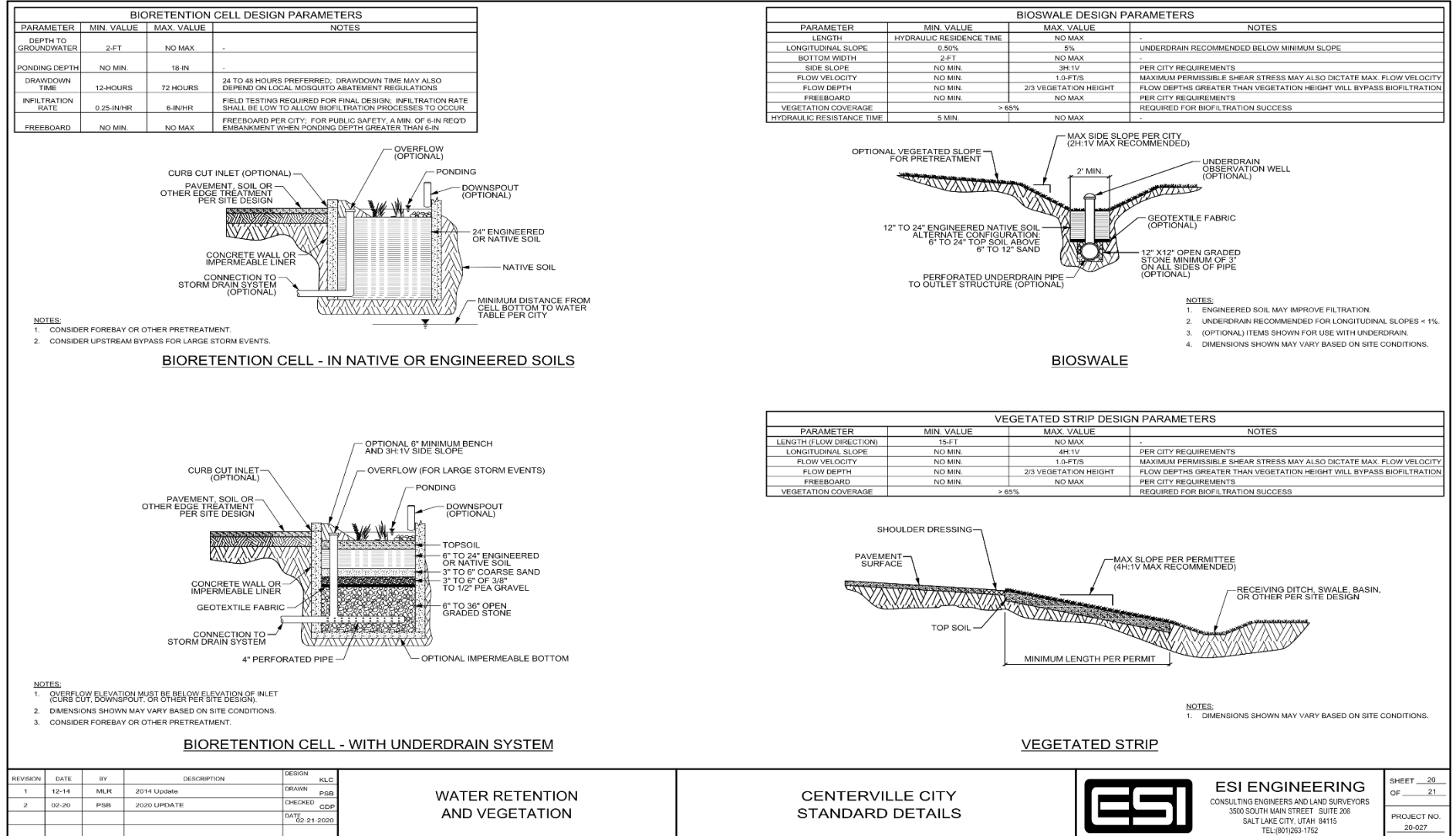
### 6. UNDERGROUND INFILTRATION GALLERY

An underground infiltration gallery is a BMP system that temporarily stores stormwater runoff below ground as part of a treatment process. The gallery includes an infiltration chamber system that consists of proprietary manufactured modular structures installed underground that create large void spaces for temporary storage of stormwater. Structures may be plastic or concrete and typically have an open bottom and are wrapped with stone and filter fabric. They can be installed individually or in series in trench or bed configurations. Stormwater is delivered to the system through inlets such as curb-cuts or other concrete structures and pipes connected to other stormwater conveyances such as catch basins.

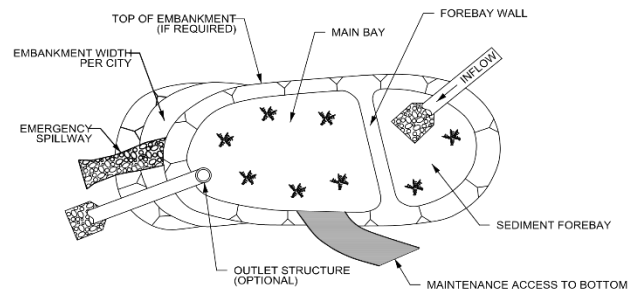
See **Figure 1** for Centerville City's Low Impact Development (LID) Standard Detail



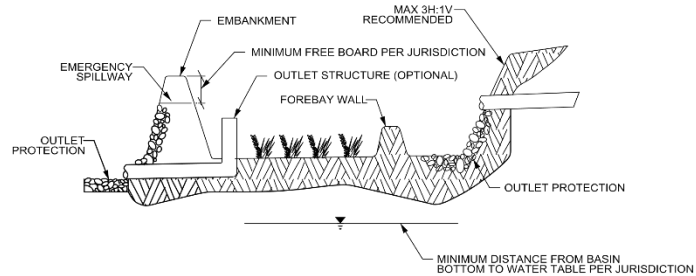
**Figure 1. Centerville City's Low Impact Development (LID) Standard Details**



INFILTRATION BASIN DESIGN PARAMETERS			
PARAMETER	MIN. VALUE	MAX. VALUE	NOTES
WATER QUALITY VOLUME	0.1-AC-FT (4356 CF)	NO MAX	-
FREEBOARD	1-FT	-	-
OVERFLOW SPILLWAY LENGTH	3-FT	-	-
INVERT SLOPE	0% (FLAT BASIN BOTTOM)	-	-
INTERIOR SIDE SLOPES	NO MIN.	3H:1V	-
DRAWDOWN TIME	24-HOURS	72-HOURS	48-HOURS RECOMMENDED
DESIGN INFILTRATION RATE	0.25-IN/HR	6-IN/HR	FIELD TESTING REQUIRED FOR FINAL DESIGN
DEPTH TO GROUNDWATER	2-FT	NO MAX	PER CITY REQUIREMENTS



PLAN VIEW

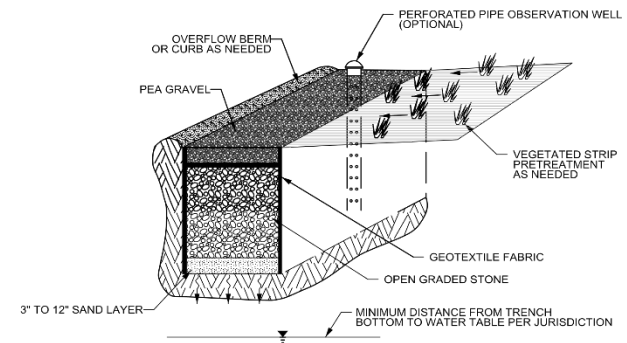


SECTION VIEW

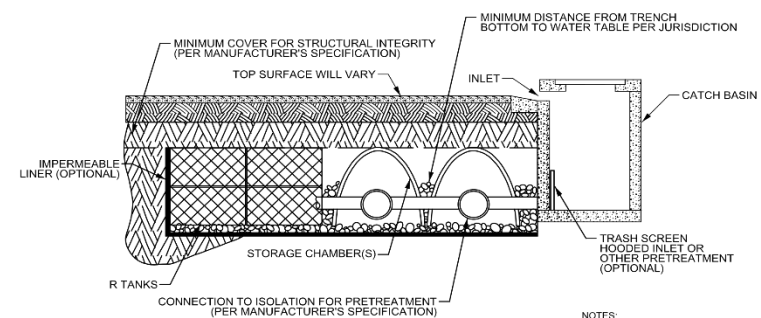
- NOTES:
- DIMENSIONS SHOWN MAY VARY BASED ON SITE CONDITIONS.
  - FOREBAY CONNECTION TYPE TO MAIN BAY WILL VARY: OUTLET PIPE, GABION WALL, NOTCHED CONCRETE WALL, AND OTHERS ARE ACCEPTABLE.
  - CONSIDER UPSTREAM BYPASS FOR LARGE STORM EVENTS.

#### INFILTRATION BASIN

INFILTRATION BASIN DESIGN PARAMETERS			
PARAMETER	MIN. VALUE	MAX. VALUE	NOTES
DEPTH OF TRENCH	2-FT	NO MAX	MAX. DEPTH DETERMINED BY CITY
LONGITUDINAL TRENCH SLOPE	0%	1%	-
WIDTH	2-FT	NO MAX	-
DRAWDOWN TIME	12-HOURS	72-HOURS	-
DESIGN INFILTRATION RATE	0.25-IN/HR	6-IN/HR	FIELD TESTING REQUIRED FOR FINAL DESIGN
DEPTH TO GROUNDWATER	2-FT	NO MAX	-



INFILTRATION TRENCH



- NOTES:
- CONFIGURATION WILL VARY.
  - IMPERMEABLE LINER AROUND UNDER GROUND SYSTEM IF GROUND WATER CONCERNS EXIST.
  - IF IMPERMEABLE LINER IS USED, PROVIDE OUTLET TO PREVENT STANDING WATER.

#### UNDERGROUND INFILTRATION GALLERY

REVISION	DATE	BY	DESCRIPTION	DESIGN	K.L.C.
1	12-14	MLR	2014 Update	DRAWN	PSB
2	02-20	PSB	2020 UPDATE	CHECKED	CDP
				DATE	12-21-2020

#### WATER INFILTRATION DETAIL

#### CENTERVILLE CITY STANDARD DETAILS



**ESI ENGINEERING**  
CONSULTING ENGINEERS AND LAND SURVEYORS  
3500 SOUTH MAIN STREET SUITE 200  
SALT LAKE CITY, UTAH 84115  
TEL: (801) 263-1752

SHEET 21  
OF 21  
PROJECT NO.  
20-027

## **SECTION 5 – FLOOD CONTROL STORAGE DESIGN**

### **5.1 Detention/Retention Systems**

#### **5.1.1 New Developments**

New Development projects that disturb land greater than or equal to one acre must manage rainfall runoff on-site. The precipitation from all rainfall events less than or equal to the 80<sup>th</sup> percentile rainfall event shall be prevented from off-site discharge. This objective must be accomplished by the use of practices that are designed, constructed, and maintained to infiltrate, evapotranspire, and/or harvest and reuse rainwater. The 80<sup>th</sup> percentile rainfall event is the event whose precipitation total is greater than or equal to 80 percent of all storm events over a given period of record.

Detention/Retention systems shall capture project basin peak flow rates and be designed with the following:

1. New Developments shall retain the 80<sup>th</sup> percentile storm event. Along the Wasatch front this is approximately 0.5 inches over a 24 hour period. This runoff shall not be discharged from the system unless it is determined that it is not technically feasible.
2. Use Low Impact Development (LID) treatment standards.
3. Determine the percolation rate at the floor of each above ground and below ground retention systems using a downhole percolation test or approved equal.

#### **5.1.2 Residential Systems**

Residential systems include surface ponds, swales, tanks, offline upsized pipes, and dry wells, and shall be designed with the following:

1. Public systems shall conform to the Centerville City Standards.
2. Residential detention/retention systems shall be near and in view of public and private ROW or driveways. This includes not putting a system in back yards or side yards that are behind fences of single-family residential properties.

#### **5.1.3 Redevelopments / Amendment to Site Plans**

Detention/Retention systems shall be evaluated for potential capacity increases when 10% or more of additional impervious surfaces (buildings, roads, parking lots, and other structures) are constructed as part of a redevelopment or if a site plan requires an amendment.

## **SECTION 6 - APPENDICES**

### **6.1 List of Acronyms**

ACOE	United States Army Corps of Engineers
BMP	Best Management Practices
CRS	Community Rating System
CWA	Clean Water Act
DCSWC	Davis County Storm Water Coalition
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
IDDE	Illicit Discharge Detection and Elimination
LID	Low Impact Development
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NFIP	National Flood Insurance Program
NPDES	National Pollutant Discharge Elimination System
SOP	Standard Operating Procedure
SWMP	Stormwater Management Plan
TMDLs	Total Maximum Daily Loads
UPDES	Utah Pollutant Discharge Elimination System



## 6.2 Glossary of Terms

**BEST MANAGEMENT PRACTICES (BMPs):** BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment, requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage and good housekeeping solutions that include the proper handling, storage, and disposal of toxic materials to prevent stormwater pollution.

**CATCH BASINS:** Curbside opening that collects rainwater from streets and serves as an entry point to the storm drain system.

**FIRST FLUSH:** The first big rain after an extended dry period, which flushes out the accumulated pollutants in the storm drain system.

**FLOOD CONTROL CHANNEL:** The open portions (often concrete-lined) of the storm drain system.

**GUTTER:** The edge of a street (below the curb) designed to drain water runoff from streets, driveways, and parking lots into catch basins.

**HOUSEHOLD HAZARDOUS WASTE:** Common everyday products that people use in and around their homes including paint, paint thinner, herbicides, and pesticides that due to their chemical nature, can be hazardous if not properly disposed.

**LOW IMPACT DEVELOPMENT (LID):** LID refers to engineered systems, either structural or natural, that use or mimic natural processes to promote infiltration, evapotranspiration, and/or reuse of stormwater as close to its source as possible to protect water quality and aquatic habitat.

**ILLICIT CONNECTION:** Any man-made conveyance connecting to the storm drain system that is not permitted and/or allows an illicit discharge directly to a municipal separate storm sewer, or any legitimate connection that is used for illegal discharge.

**ILLICIT DISCHARGE:** Any discharge to a municipal separate storm sewer system that is not composed entirely of stormwater except discharges pursuant to a UPDES permit and discharges related to firefighting activities.

**MAXIMUM EXTENT PRACTICABLE (MEP):** Technology-based discharge standard for Municipal Separate Storm Sewer Systems established by the Clean Water Act.

**MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4):** MS4 refers to a collection of structures designed to gather stormwater and discharge it into local streams and rivers.

**NON-POINT SOURCE POLLUTION:** Pollution that does not come from a single, identifiable source; includes materials that wash from roofs, streets, yards, driveways, sidewalks, and other land areas. Collectively, this is the largest source of stormwater pollution.

**OUTFALL:** A flow of water from one drainage system into a larger system or into a body of water like a bay or lake.

**POINT SOURCE POLLUTION:** Pollution from a single identifiable source such as a factory or a sewage-treatment plant. Most of this pollution is highly regulated at the state and local levels.

**SOURCE CONTROL:** Action to prevent pollution from where it originates.

**STORM DRAIN SYSTEM:** A vast network of underground pipes and open channels designed for flood control.

**STORMWATER:** Rain runoff, snowmelt runoff, and other surface runoff and drainage that enters the storm drain system and empties into lakes, rivers, or streams.

**STORMWATER POLLUTION:** Water from rain, irrigation, garden hoses, or other activities that picks up pollutants (cigarette butts, trash, automotive fluids, used oil, paint, fertilizers and pesticides, lawn and garden clippings, and pet waste) from streets, parking lots driveways, and yards and carries them through the storm drain system.

**TOTAL MAXIMUM DAILY LOADS (TMDLs):** A TMDL is the calculation of the maximum amount of a pollutant allowed to enter a water body so that the waterbody will meet and continue to meet water quality standards for that particular pollutant. A TMDL determines a pollutant reduction target and allocates load reductions necessary to the source(s) of the pollutant.

**WATERSHED:** A watershed is land that collects water and drains it into a river system or lake.

# **~~CITY OF~~ CENTERVILLE ~~CITY~~ ~~STORM WATER~~ STORMWATER MANAGEMENT PLAN**

UPDES Permit Number UTR090000

**General Permit for Discharges from Small Municipal Separate Storm  
Sewer Systems (MS4s)**

Submitted to:

State of Utah  
Department of Environmental Quality  
Division of Water Quality



Submitted by:

Centerville City, Public Works Department  
Drainage Utility Division  
655 North 1250 West  
Centerville, Utah 84014

Updated ~~July 2020~~ April 2021





## ~~CITY OF~~ PURPOSE

The purpose of the Stormwater Management Plan (SWMP) for Centerville City is to provide direction to satisfy Federal and State water quality requirements as set forth under the National Pollutant Discharge Elimination System (NPDES) and Utah Pollutant Discharge Elimination System (UPDES) permits. The purpose of the SWMP is to establish a program that effectively limits the discharge of pollutants from Centerville City's storm drainage system.

The SWMP for Centerville City outlines the implementation of controls in specific areas with the intention to prevent harmful pollutants from being carried by stormwater runoff into local water bodies. The six minimum control measures addressed under the UPDES permit are:

1. Public Education and Outreach on Stormwater Impacts
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination (IDDE)
4. Construction Site Stormwater Runoff Control
5. Post-Construction Site Stormwater Runoff Control
6. Pollution Prevention and Good Housekeeping for Municipal Operations

The SWMP for Centerville City includes the following information for each of the six minimum control measures:

- The Best Management Practices (BMPs) to be implemented
  - The measurable goals for each of the BMPs
  - The positions responsible for implementing the BMPs
  - The funding required to implement the BMPs
-

CENTERVILLE CITY, UTAH

~~STORM WATER~~STORMWATER MANAGEMENT PLAN

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## PREFACE

The U.S. Congress passed the Clean Water Act in 1972 with a stated objective to restore and maintain the chemical, physical, and biological integrity of the nation's waters through point source and non-point source controls. The method to achieve this restoration process is through the implementation of "Best Management Practices" (BMPs). An effective tool to achieve compliance with the Proposed Storm Water National Pollution Discharge Elimination Systems (NPDES) Phase I and Phase II Regulation is the implementation of a storm water utility. The NPDES program was created to ensure that permitted discharges meet applicable water quality requirements. The Phase I and Phase II permitting process involves primarily urban communities of a specific size and population. Phase I of the process requires cities (100,000 population or greater) to secure a NPDES permit. The Phase II process requires smaller municipalities and other urbanized areas to secure a NPDES permit. The City of Centerville is required to comply with the requirements of the Phase II permitting process based on its location in the Wasatch Front Urbanized Area. The City of Centerville felt that the creation of a drainage utility (storm water utility) was one of the most important steps to take in order to ensure that the overall storm water management program could be successfully implemented. The Utility is an example of a nonstructural BMP that has been implemented for the sole purpose of generating revenues for storm water related improvements. This plan summarized the important aspects associated with Centerville's effort to implement an effective Drainage Utility and Storm Water Management Plan.

## SECTION 1 – INTRODUCTION

### 1.1. Overview of the ~~Storm Water~~Stormwater Management Plan

This ~~Storm Water~~Stormwater Management Plan (SWMP) provides an overview of integrated ~~storm water~~stormwater management, floodplain management, and technologies utilized by ~~the City of~~ Centerville City for implementing the ~~storm water management program~~Stormwater Management Program. Additionally, this plan is designed to provide guidance for developers, contractors, and the general public based on the basic principles of effective urban ~~storm water~~stormwater management in the State of Utah. The ~~Storm Water~~Stormwater Management Plan will be implemented to limit, ~~to the maximum extent practicable (MEP),~~ the discharge of pollutants from ~~the City of Centerville's~~Centerville City's storm drain system: to the Maximum Extent Practicable (MEP).

### 1.2. ~~Storm Water~~Stormwater Management Plan Coordination

Agency: ~~City of~~ Centerville City – Public Works Department – Drainage Utility Division

Division Contacts: Cameron Woodbury – Drainage Utility Supervisor  
Phone: 801-292-8232

~~\_\_\_\_\_~~ Randy Randall ~~\_\_\_\_\_~~ Michael Carlson – Interim Public Works Director  
~~Director of Public Works~~  
Phone: 801-292-8232

#### 1.2.1 Davis County Storm Water Coalition

The Davis County Storm Water Coalition (DCSWC or coalition) consists of representatives from 15 cities and Davis County, whose purpose is to minimize pollutants entering the storm ~~drains~~drain systems and receiving water bodies, to comply with ~~storm water~~stormwater regulations, and to receive input from stakeholders. Representatives from other entities such as Hill Air Force Base, consultants, vendors, and contractors are also invited to participate. The ~~coalition~~Coalition meets regularly and plans to continue regular meetings during the coming years to discuss ~~storm water~~stormwater issues and coordinate activities.

The Coalition member entities initially entered into an interlocal agreement to jointly implement a portion of the SWMP in 2002. Coalition members have continued to perform coalition activities, and have committed to continue conducting and supporting ongoing Coalition activities. As a member of the ~~Davis County Storm Water~~ Coalition, ~~the City of~~ Centerville City will continue to work with other ~~Municipalities~~municipalities in Davis County for Coalition purposes. It is anticipated that the entities will jointly perform the following responsibilities:

1. ~~Jointly purchase~~Purchase educational and training materials, as determined by the Coalition, for distribution to:
  - a. Residents
  - b. Businesses
  - c. Developers/Contractors
  - d. Municipal Separate Storm Sewer System (MS4) Industrial facilities
2. Use the Coalition as a county-wide committee to:
  - a. ~~train~~Train personnel
  - b. ~~create~~Create partnerships
  - c. ~~obtain~~Obtain input and feedback from special interest groups
3. Annually contribute updated storm drain system information for county-wide mapping purposes.
4. Jointly prepare and promote a model ordinance that addresses:
  - a. Illicit discharges
  - b. Construction site ~~storm-water~~stormwater runoff
  - c. Long-term ~~storm-water~~stormwater management
5. Jointly arrange for and provide education about hydrologic methods and criteria for sizing post-construction BMPs.
6. Jointly participate to develop Standard Operating Procedures (SOPs).

### 1.3. ~~Storm-Water~~Stormwater Management Plan Purpose and Goals

The purpose of this ~~Storm-Water~~Stormwater Management Plan (SWMP or Plan) is to facilitate and improve the management of ~~storm-water~~stormwater in ~~the City of~~ Centerville City with the intent of improving water quality. The goals for the ~~plan~~SWMP are as follows:

1. Comply with the six minimum control measures as identified by the EPA NPDES Phase II requirements and UPDES permit, which include:
  - a. Public education and outreach activities to increase public participation in addressing ~~storm-water~~stormwater issues and Best Management Practices (BMPs).
  - b. Minimizing illicit discharges through education and implementing a detection program.
  - c. Minimizing construction site runoff by education contractors and implementing practical institutional controls.
  - d. Improve and promote pollution prevention and good housekeeping practices.
  - e. Improve and promote practical and achievable “BMPs” and measurable goals.
  - f. Improve ~~storm-water~~stormwater quality and comply with applicable local public notice requirements.
2. Increase protection from flooding through better floodplain management practices

#### 1.4. Staffing and Resource Allocations

Management and oversight of the ~~Storm-water~~Stormwater Management Plan is funded by Centerville City through the City's Drainage Utility Fund. The revenue source of this fund is a utility fee assessed City-wide.

Much of the implementation of the ~~Storm-Water~~Stormwater Management Plan is performed by the Drainage Utility Division. Some parts of the ~~plan~~Plan will be implemented by other departments within the City as outlined in the ~~plan~~Plan.

#### 1.5. Creation of the Drainage Utility Division

In 1997, the City Council appointed a citizen advisory committee to review the City's drainage problems and recommend solutions. The committee initially focused on subsurface drainage problems but concluded that the City needed to address both surface (i.e. ~~storm-water~~stormwater) and subsurface drainage in a comprehensive, and integrated manner. The committee recommended a regular maintenance program for publicly owned drainage facilities and recommended the creation of a drainage utility enterprise funded by monthly user fees.

In 1999, ~~the City of~~ Centerville City, assisted by a consultant with a nationwide experience established a ~~Storm-water~~Drainage Utility. As a result of the establishment of the utility, the City created the Drainage Utility Division of the Department of Public Works. The purpose of the Drainage Utility Division is to manage the operation and maintenance of the City's drainage infrastructure and to achieve compliance with the Environmental Protection Agency NPDES Phase II regulations.

The ~~drainage-utility~~Drainage Utility Division provides ~~the City of~~ Centerville City with a financial mechanism from which to address both water quantity and water quality issues associated with Phase II requirements and permitting process. ~~The City of~~ Centerville City considers the utility to be a viable nonstructural BMP that will enable the City to generate revenues for ~~storm-water~~stormwater-related improvements. ~~The City has made the decision that the~~The implementation of the utility is an integral part of an effective ~~storm-water management program.~~Stormwater Management Program. The Drainage Utility will ~~also~~ be instrumental in meeting the requirements of the Phase II permitting process and ~~will allow the City to develop best management practices (storm water management practices) in developing BMPs for stormwater management to address non-point source pollution and flood control management (via infrastructure improvements) that, when implemented together, will ensure the protection of our community's resources.~~



## 1.6. Drainage Utility Mission Statement

The mission of ~~the City of Centerville's~~Centerville City's Drainage Utility and ~~storm water management program~~Stormwater Management Plan is to develop, implement, operate, and ~~adequately and equitably fund~~fund stormwater and subsurface water drainage systems. This includes the acquisition, construction, operation, maintenance, and regulation of ~~storm water and subsurface water drainage~~the systems. The program ~~shall~~is intended to safely and efficiently control drainage runoff, enhance public health and safety, facilitate mobility and access to homes and businesses during and after storm events, protect lives and property, complement and support other City programs and priorities, reduce the discharge of pollutants to receiving waters, and enhance the natural resources of the community.

## 1.7. Stakeholders

The success of any plan depends on the support and involvement of the ~~storm water~~stormwater plan stakeholders. Stakeholders should be cognizant of their involvement and how they can play an important role in the ~~storm water management plan's~~Stormwater Management Plan's success.

See **Table 1** for lists of the stakeholders and their interest in the ~~plan~~SWMP.

## 1.8. Overall Environmental Concerns

### 1.8.1 General

The overall program goal is to implement the ~~storm water~~stormwater program according to the SWMP and permit requirements. Annually reviewing the status of each program implemented, according to the goals, will provide a way to measure the effectiveness of the program in general.

~~Storm water~~Stormwater runoff from ~~the City of~~Centerville City is received by five creeks: Lone Pine Creek, Ricks Creek, Barnard Creek, Parrish Creek, and Deuel Creek. Each of these creeks ultimately discharge to the Great Salt Lake. None of the portions of these streams receiving the city's ~~storm water~~stormwater discharge are listed as impaired (per ~~CWA 303d~~the Clean Water Act Section 303(d) list of approved TMDLs on ~~DWQ~~the Utah Division of Water Quality website) or as "high quality" streams (per ~~UAC~~Utah Administrative Code R317-2-12 and R317-2-13. ~~7B-7(b)~~7(b)). Oversight and maintenance of these streams fall under the jurisdiction of the Davis County Public Works Department: (with the exception of Lone Pine Creek).

### 1.8.2 Threatened and/or Endangered Species

Based upon information from the US Fish and Wildlife Services website, there are no official listings of threatened or endangered species in ~~the City of Centerville. However, it is noteworthy that the Mountain Plover is proposed to be considered as a threatened species, and that the Arctic Peregrine Falcon is listed as a recovering species.~~Centerville City.

~~Research and see if this has changed. I found that the yellow-billed cuckoo as threatened and the gray wolf as recovered on the U.S Fish and Wildlife website in Davis county~~

### 1.8.3 Historic Properties

~~The City of~~ Centerville City will comply with current law as it pertains to ~~storm water~~stormwater construction activities adjacent to historic properties. City projects supported by federal, state, or Redevelopment Agency funds which impact a Historic Property (listed on the National Register of Historic Properties; or at least 50 years old) will allow a 30-day advance evaluation period of the project and affected site by the State Historic Properties Officer prior to any modification being made. The City will notify the State Historic Preservation Officer in writing. Further information regarding Centerville City's historic properties ordinances can be found in CZC 12.61 (Historic Buildings and Sites).

**Table 1. Stakeholders Involved in the ~~Storm Water~~Stormwater Management Plan**

Stakeholder	Interest
Centerville City <del>Department of Planning &amp; Community Development</del> <u>Department</u>	<del>Preparation</del> <u>Prepares</u> and <del>development of</del> <u>develops</u> ordinances related to land use and construction of <del>storm water</del> <u>stormwater</u> controls on new and redeveloped properties. Building inspectors will be involved in the enforcement and compliance of ordinances. Construction permits are issued through this department.
Centerville City <del>Department of</del> Public Works <u>Department</u>	Oversees the operations of the Drainage Utility Division in preparing and implementing the <del>Storm Water</del> <u>Stormwater</u> Management Plan. <del>Coordination</del> <u>Coordinates</u> with <del>Streets</del> <u>Street</u> and Water Divisions on <del>storm water</del> <u>stormwater</u> -related issues, as well as, participation in pollution prevention and good housekeeping activities.
Centerville City <del>Department of</del> Parks and Recreation <u>Department</u>	<del>Management</del> <u>Manages</u> and <del>maintenance of</del> <u>maintains</u> City-owned open space. <del>Use of</del> <u>Uses</u> BMPs and <del>participation</del> <u>participates</u> in pollution prevention and good housekeeping activities.
Business Owners	<del>Minimizing</del> <u>Minimizes</u> the impacts to <del>storm water</del> <u>stormwater</u> by employing “ <del>Best Management Practices</del> ” <u>BMPs</u> and <del>participation</del> <u>participates</u> in pollution prevention and good housekeeping activities. Pay fees associated with the <del>drainage utility</del> <u>Drainage Utility</u> .
Contractors and Builders	<del>Minimizing</del> <u>Minimizes</u> the impacts to <del>storm water</del> <u>stormwater</u> by employing “ <del>Best Management Practices</del> ” <u>BMPs</u> and <del>participation</del> <u>participates</u> in pollution prevention and good housekeeping activities. Obtains <del>storm water</del> <u>stormwater</u> permits from <del>the City of Centerville</del> <u>City</u> .
Centerville City Residents	<del>Minimizing</del> <u>Minimizes</u> the impacts to <del>storm water</del> <u>stormwater</u> by employing “ <del>Best Management Practices</del> ” <u>BMPs</u> and <del>participation</del> <u>participates</u> in pollution prevention and good housekeeping activities. <del>Pay</del> <u>Pays</u> fees associated with the <del>drainage utility</del> <u>Drainage Utility</u> . <del>Identification of storm water</del> <u>Identifies stormwater</u> management issues and <del>the development of</del> <u>develops</u> new ideas.
Davis County	<del>Coordination of storm water</del> <u>Coordinates stormwater</u> management activities, such as public education and monitoring of creeks. <del>Partner</del> <u>Partners</u> in protecting the watershed and

	water resources of the community. <del>Identification of storm water</del> <u>Identifies</u> <u>stormwater</u> management issues and <del>the</del> <del>development of</del> <u>develops</u> new ideas.
Davis County Storm Water Coalition (DCSWC)	<del>Coordination of storm water</del> <u>Coordinates</u> <u>stormwater</u> management activities, such as public and municipal education. <del>Identification</del> <del>of storm water</del> <u>Identifies</u> stormwater management issues and <del>the development</del> <del>of</del> <u>develops</u> new ideas.



## SECTION 2 – AUTHORITY & BACKGROUND

~~The City of Centerville's~~Centerville City's policies must be consistent with the regulatory requirements of local, county, state, and federal entities. Several of the entities and the requirements they impose are described in the following sections.

### 2.1 Federal

#### 2.1.1 Clean Water Act – 33 U.S.C. Chapter 26

In 1972, Congress enacted the first comprehensive national clean water legislation in response to growing public concern for serious and widespread water pollution. The Clean Water Act (CWA) is the primary federal law that protects our nation's waters, including lakes, rivers, aquifers, and coastal areas. The CWA provides the backbone for the national approach to water quality policy and action.

The objective of this federal law is the total elimination of the discharge of pollutants into the nation's navigable waters and to restore and maintain the integrity of the nation's waters. This objective translates into two fundamental national goals:

1. ~~eliminate~~Eliminate the discharge of pollutants in the nation's waters, ~~and,~~
2. ~~achieve~~Achieve water quality levels that are fishable and swimmable.

The CWA focuses on improving the quality of the nation's waters. It provides a comprehensive framework of standards, technical tools, and financial assistance to address the many causes of pollution and poor water quality, including municipal and industrial wastewater discharges, polluted runoff from urban and rural areas, and habitat destruction. For example, the CWA:

1. ~~requires~~Requires major industries, to meet performance standards to ensure pollution control~~;~~
2. ~~charges~~Charges states and tribes with setting specific water quality criteria appropriate for their waters and developing pollution control programs to meet them~~;~~
3. ~~provides~~Provides funding to states and communities to help them meet their clean water infrastructure needs~~;~~
4. ~~protects valuable~~Protects wetlands and other aquatic habitats through a permitting process that ensures development and other activities are conducted in an environmentally sound manner.

~~Two~~Point and non-point source discharges are the two types of discharges ~~are~~ defined in the CWA: ~~point and non-point source discharges.~~ The CWA has three main requirements ~~as follows:~~

1. Municipalities are required to effectively prohibit non-stormwater discharges into the publicly owned or operated storm drain system.

2. Municipalities are required to control the discharge of pollution into the storm drain system to the maximum extent practicable.
3. Municipalities are required to have one system-wide permit rather than individual discharge permits for each point.

Although pollutants entering the storm and surface water systems are primarily non-point in nature, discharges from the storm and surface water systems have been defined as point sources (40 CFR Section 122.45). As a result, storm and surface water systems are subject to the permitting process of the CWA's National Pollutant Discharge Elimination System (NPDES).

~~After nearly 50 years, the Act continues to provide a clear path for clean water and a solid foundation for an effective national water program.~~

#### 2.1.2 NPDES Phase II ~~Storm Water~~Stormwater Permit

The NPDES Phase II ~~Storm Water~~Stormwater Permit focuses on small municipalities and is issued by the Environmental ~~protection~~Protection Agency (EPA). The program's main objective is to control non-point source pollution of waterways in urban areas to the maximum extent practicable (MEP). The application deadline for Phase II municipalities was March ~~of~~ 2003. The Phase II permit required the community to prepare a Notice of Intent (NOI) which describes the BMPs to be implemented to fulfill EPA's goal of public education and outreach on ~~storm-water~~stormwater impacts, public involvement and participation, illicit discharge detection and elimination, construction site runoff control, post-construction ~~storm-water~~stormwater management in development and re-development, and pollution prevention and good housekeeping of municipal operations.

#### 2.1.3 Federal Emergency Management Agency (FEMA)

FEMA was created to provide accountability for all federal emergency preparedness, mitigation, and response activities. FEMA is organized to strengthen the multiple uses of emergency preparedness and response resources at the ~~Federal~~federal, state, and local levels of government in preparing for and responding to the full range of emergencies and to integrate into a comprehensive framework activity concerned with hazard mitigation, preparedness planning, relief operations, and recovery assistance.

FEMA oversees the National Flood Insurance Program (NFIP). The NFIP is a ~~Federal~~federal program enabling property owners in participating communities to purchase insurance protection against flooding.

The U.S. Congress established the NFIP with the passage of the National Flood Insurance Act of 1968. The NFIP was broadened and modified with the passage of the Flood Disaster Protection Act of 1973 and other legislative measures. It was further modified by the National Flood Insurance Act of 1994, signed into law on September 23, 1994. The NFIP is administered by the Federal Insurance Administration and the Mitigation

Directorate (MT), which are components of FEMA. The full requirements of the NFIP can be found in ~~Chapter 44 of the~~ CFR Parts 59, 60, 65, and 70.

Participation is based on an agreement between local communities and the ~~Federal~~federal government that states if a community will adopt and enforce a floodplain management ordinance to reduce future flood risks to new construction in Special Flood Hazard Areas, the ~~Federal Government~~federal government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods.

~~The City of~~ Centerville City participates in the National Flood Insurance Program (NFIP). Further information regarding Centerville City's flood hazard and prevention ordinances can be found in CMC 9.08 (Flood Damage Prevention).

#### 2.1.4 Protection of U.S. Waters

The United States Army Corps of Engineers (ACE) of the Department of Defense manages and constructs civil works programs which include research and development, planning, design, construction, operation and maintenance, and real estate activities related to rivers, harbors, and other bodies of waters ~~as well~~. ACE administers laws for protection and preservation of navigable waters and related resources such as wetlands. ACE's authority for the protection of navigable waters falls under ~~section~~Section 404 of the U.S. Rivers and Harbors Act of 1899. Section 10 of ~~that act~~the Rivers and Harbors Act prohibits any obstruction or alteration of navigable waters without an ACE permit. The term navigable waters has a broad definition, which states that wetlands are included along with streams having average annual flows greater than 5 cubic feet per second. ACE also assists in recovery from natural disasters.

#### 2.2 State

The State of Utah has a Department of Environmental Quality (DEQ) whose mission is to ~~"[p]rotect"~~"protect, maintain and enhance the quality of Utah's surface and underground waters for appropriate beneficial uses; and to protect the public health through elimination and preventing water related health hazards which can occur as a result of improper disposal of human, animal or industrial wastes while giving reasonable consideration to the economic impact."

The State Department of Environmental Quality is responsible to oversee the EPA NPDES Phase I and Phase II ~~storm-water~~stormwater regulations and issue Utah Pollutant Discharge Elimination Systems (UPDES) permits in the State of Utah. The Utah Administrative Code Title R317 – Environmental Quality, Water Quality sets forth the requirements and procedures needed for compliance with state law. Utah Administrative Code ~~Title~~ R317-8.3.9 specifically lists the requirements for municipalities to obtain a UPDES permit from the State of Utah. The UPDES permit will be issued in compliance

with the provision of the Utah Water Quality Act, set forth in Title 19 ~~chapter~~Chapter 5, of the Utah Code ~~Annotated 1953, as amended.~~

## 2.3 County

Davis County is responsible for flood control and maintenance of the creeks that transverse through Centerville City. Davis County ~~ordinance~~Ordinance 01-87 and 02-98 sets forth the policy and procedures used by the County to provide this service. Coordination must be made with the county on projects that affect any of the creeks or right-of-way issues related to them.

## 2.4 Local

Currently, ~~the City of~~ Centerville City has several ordinances that pertain to various aspects of ~~storm-water~~stormwater management. Some of these ordinances have been modified to meet compliance with the new ~~Federal~~federal and ~~State~~state laws associated with the NPDES and UPDES permit requirements and to be more effective in improving the quality of ~~storm-water~~stormwater runoff. With the implementation of this ~~storm-water plan~~updated SWMP, additional ordinances may be required.

The following is intended as a brief overview of the ordinances currently enacted ~~by~~ Centerville City. A more detailed analysis and application of these ordinances will be included when needed to describe their application to the ~~Storm Water~~Stormwater Management Plan.

### 2.4.1 TITLE 16 ~~Storm Water~~Stormwater

### 2.4.2 TITLE ~~10 Fire, 7 Public~~ Health, and Safety, ~~and Welfare~~

#### 2.4.2.1 Chapter 7.08

#### ~~2.4.2.1 Chapter~~ Chapters 10-400, 10-500, 10-600

~~Chapters 10-400 and 10-500 address~~7.08 (Solid Waste and Recycling) addresses garbage and litter issues such as collection, transportation, and proper disposal of hazardous materials and other wastes. ~~Chapter 10-600 addresses Natural Resource Excavations, which can have a significant effect on storm water quality.~~

### 2.4.3 TITLE 11 Streets

#### 2.4.3.1 Chapter 11.01

#### ~~2.4.3 Chapter 11.01 (Streets and Public Ways~~

)

#### ~~2.4.3.1 Chapter 11-300, Parts 11-362 and 11-355~~



~~Part 11-362~~ prohibits placing trash or other obstruction in streets, gutters, or sidewalks. ~~Part~~Section 11-355.01.080 prohibits placing or mixing sand or gravel on a paved street or sidewalk. Such restrictions can help avoid adding large amounts of sediments to ~~storm~~ waterstormwater during storm events.

#### 2.4.4 TITLE 12 ~~Planning and~~ Zoning

##### 2.4.4.1 Chapters ~~12-200.01~~, ~~12-300.23~~, ~~12-400.42~~, 12.50

These chapters set forth ~~subdivision standards and specifications~~, the planning and zoning ordinances, ~~and of~~ the general plan City. The ~~codes~~ordinances found in these regulations include provisions for hillside development, general land use, sediment and erosion controls, construction standards and specifications, zoning issues and provides for inspection and enforcement of these activities.

#### 2.4.5 TITLE 15 ~~Land Development~~Subdivisions

Title 15 is also known as the “Centerville Subdivision Ordinance” ~~or as the “Land Development Code”~~. It provides rules, regulations, standards, and specifications which regulate subdivision growth and development in the City. The Community Development ~~and Planning~~ Department is the primary overseer of the majority of the requirements found in ~~this section~~ Title 15 (Subdivisions) as well as those in Title 12: (Zoning).

## SECTION 3 – NPDES PHASE II REQUIREMENTS

### 3.1 Public Education and Outreach

#### 3.1.1 Requirements

REQUIRED: Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of ~~storm water~~stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in ~~storm water~~stormwater runoff.

An informed and knowledgeable community is crucial to the success of the ~~storm water~~stormwater management program since it helps to ensure the following:

1. Greater support for the program as the public gains a greater understanding of the reasons why it is necessary and important.
2. Greater compliance with the program as the public becomes aware of the personal responsibilities expected of them and others in the community, including the individual actions they can take to protect or improve the quality of area waters.

The basic requirement of the public education and outreach control measure is to communicate the impacts of ~~storm water~~stormwater discharges and the steps to reduce ~~storm water~~stormwater pollution. The EPA requires that a public education program be implemented to distribute education materials to the community or to conduct equivalent outreach activities about the impacts of ~~storm water~~stormwater discharges on local water bodies and the steps that can be taken to reduce ~~storm water~~stormwater pollution. The EPA also requires that appropriate BMPs and measurable goals be included as a part of the program.

Based on recommendations from the EPA and requirements of the State of Utah the following goals have been considered when determining which BMPs ~~the City of~~ Centerville City will implement as part of the ~~Storm Water~~Stormwater Management Plan.

#### 3.1.2 Goals

1. Inform the public of the need for ~~storm water~~stormwater management and ~~what their critical~~ role ~~they play in it~~.
2. Develop a program that promotes, publicizes, and facilitates public reporting of the presence of illicit discharges or improper disposal of materials.
3. Develop a program that promotes, publicizes, and facilitates the proper management and disposal of used oil and household hazardous wastes.
4. Inform public employees, businesses, and the general public about the hazards associated with the illegal discharges and disposal of wastes.
5. Encourage the proper use, application, and disposal of pesticides, herbicides, and fertilizers by commercial and private applicators and distributors.

The BMPs that ~~the City of~~ Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah. Many NPDES Phase I communities have instituted similar activities with much success. The three main areas that ~~the City of~~ Centerville City will implement public education and outreach activities include:

1. ~~forming~~ Forming partnerships.
2. ~~using~~ Using appropriate educational materials and strategies, ~~and,~~
3. ~~reaching~~ Reaching diverse audiences.

### 3.1.3 Forming Partnerships

It would be ~~too expensive~~ cost-prohibitive for ~~the City of~~ Centerville City to create an education and outreach program on its own. With this restriction in mind, ~~the City of~~ Centerville City will ~~pursue~~ continue partnerships with other communities and entities where possible and practicable. There is already an existing program in Davis County that reaches residents in our community known as the Davis County Stormwater Coalition.

### 3.1.4 Proposed BMPs

1. Continue participation with the Davis County Storm Water Coalition ~~-(DCSWC)-~~.
  - a. DCSWC provides the opportunity to meet with Utah State officials who monitor and regulate construction sites, industrial sites, and Municipal Separate Storm Sewer Systems (MS4s). Participation and collaboration allow Centerville City to remain aware of current ~~storm-water~~ stormwater concerns.
  - b. Participate with the Davis County Storm ~~water~~ Water Coalition. Centerville pays an annual fee to the Davis County Storm ~~water~~ Water Coalition to pay a portion of the costs associated with their program. In return, Centerville City receives materials to use in its community. This partnership eliminates duplication of services and provides opportunities that the City could not otherwise afford. Davis County Storm Water Coalition consists of representatives from 15 cities including Davis County and Hill Air Force Base. The Coalition's purpose is to reduce the load of pollutants entering the storm drains and receiving water bodies and to comply with ~~storm-water~~ stormwater regulations. The coalition meets monthly and coordinates the purchase of educational material, school program presentations, municipal and construction site training opportunities, and compliance with state ~~storm-water~~ stormwater regulations.
2. Continue purchasing brochures and TV advertisements. Part of the fees paid to the Davis County Storm Water Coalition is applied to the purchase of brochures and TV advertisements. Brochures are used to tag doors in neighborhoods where ~~storm-water~~ stormwater pollution is found. Brochures are also used when service projects apply storm drain stencils to catch basins

3. Continue public information presentations. The Davis County Storm Water Coalition pays for one teacher to educate all of the 4<sup>th</sup> ~~fourth~~-grade students within Davis County concerning ~~storm-water~~stormwater. The Coalition also participates in Water Fairs and each year provides an educational booth at the Davis County Water Fair. The Coalition has also conducted both construction site ~~storm~~ water~~stormwater~~ training for contractors and municipal site ~~storm~~ water~~stormwater~~ training for municipal employees.
4. Create economic incentives for businesses and new development. Centerville is considering offering a drainage utility discount for businesses that participate in ~~storm-water~~stormwater educational opportunities or who install specific ~~storm~~ water~~stormwater~~ treatment devices and structural or nonstructural BMPs.
5. Target commercial businesses. Commercial businesses contribute to ~~storm~~ water~~stormwater~~ pollution through the use of bad housekeeping procedures. The City plans on inspecting commercial businesses and then providing them with options for structural and nonstructural BMPs.
6. Develop annual ~~storm-water~~stormwater insert for City Newsletter. The Centerville City newsletter is an effective way of reaching the public. Each year a ~~storm~~ water~~stormwater~~ insert will be included in the newsletter informing the public about ~~storm-water~~stormwater concerns and what they can do to prevent ~~storm~~ water~~stormwater~~ pollution.
7. Promote low-impact development. Low impact development techniques help to reduce ~~storm-water~~stormwater pollution. Low impact development depends on coordination with the ~~Department of~~ Community Development Department.

See **Table 2** for Status of Measurable Goals for Public Education and Outreach.

### 3.1.5 Funding

Funding to participate with existing coalitions will be an expense of the City's Drainage Utility Fund. Coalition funding has varied per year ~~dependent upon~~depending on the activities and participation of other ~~Cities~~cities.

## 3.2 Educational Materials and Strategies

There are many outside sources ~~to where the City can~~ obtain existing educational materials. Many of these materials can be used as-is or can be modified to meet our specific local needs. Participation with other organizations, such as ~~county coalitions~~the Davis County Stormwater Coalition, reduces the cost of some materials due to the scale of the economy.



### 3.2.1 Proposed BMPs

1. Develop and maintain a library of educational materials for the community and school groups. This collection of information will be used to prepare brochures, handouts, the website, and other materials used in promoting the ~~storm-water management plan.~~Stormwater Management Plan (SWMP).
2. Develop brochures and/or fact sheets for the general public that provide information on the City's storm drain system, flood control activities, and other ~~storm-water~~stormwater-related issues. These brochures should emphasize the impact of ~~storm-water~~stormwater discharges on our local water bodies and steps that can be taken to reduce or eliminate pollutants from entering ~~storm~~waterstormwater runoff.
3. Develop and maintain a website related to our ~~storm-water~~stormwater program and ~~storm-water~~stormwater issues.
4. Continue publication of the ~~storm-water~~stormwater hotline that is used to answer questions and concerns from the public as well as providing information. The ~~storm-water~~stormwater hotline also facilitates reporting the presence of illicit discharges or the improper disposal of materials into the storm drain system.
5. Continue the storm drain stenciling program.
6. Continue the educational program for school-age children (fourth graders) as managed by the Davis County Storm Water Coalition- ~~(DCSWC).~~
7. ~~Development of~~Develop alternative information sources, such as bumper stickers, refrigerator magnets, posters, key chains, etc. which will promote public awareness and participation.

### 3.2.2 Funding

Funding for the proposed BMPs in Section 3.2.1 will be an expense of the City's Drainage Utility Fund. The associated costs to participate have yet to be determined as some of these activities will be dependent upon the City's participation in the Davis County Storm Water Coalition.

See **Table 3** for Status of Measurable Goals for Education Materials and Strategies.

**Table 2. Status of Measurable Goals for Public Education and Outreach**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Prepare agreements to participate with the existing Davis County <del>Storm water</del> <u>Stormwater</u> Coalition	Drainage Utility	Unknown	Drainage Utility Fund	Active	2003	Agreements are active and reoccur annually.
Year 1	Develop a Centerville <del>Storm water</del> <u>Stormwater</u> Committee	Drainage Utility, Mayor/City Manager	Volunteers	None	Dropped	n/a	Interest for this committee never materialized. Will reconsider at a later date.
Year 2-5	Participation with DCSWC	Drainage Utility <u>Supervisor</u>	Averaged cost approximately \$-4,500- <del>per</del> /year-	Drainage Utility Fund	Active	2003	Active participation has allowed the City to gain valuable knowledge <del>in regards to</del> <u>regarding</u> local, <del>State</del> <u>state</u> , and <del>Federal Storm Water</del> <u>federal Stormwater</u> Regulations.
Year 2-5	<del>Storm Water</del> <u>Stormwater</u> Committee reviews the <del>Storm Water</del> <u>Stormwater</u> Management Plan and other activities and suggests appropriate changes and modifications annually	Drainage Utility <u>Supervisor</u>	Unknown	Drainage Utility Fund	Dropped	n/a	Interest for this committee never materialized.

**Table 3. Status of Measurable Goals for Education Materials and Strategies**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1-2	Prepare and include a survey in the city newsletter to gauge the knowledge of citizens regarding storm water issues.	Drainage Utility Supervisor <del>Centerville Storm water Committee</del>	>\$100	Drainage Utility Fund  Centerville City	<del>Active</del>	2007	Results from the survey will be compiled and used as a base for comparisons with future surveys. Too soon to determine effectiveness.
Year 1-5	distribute brochures and/or fact sheets for the general public that provide information on the City's storm drain system, flood control activities, and other storm water related issues.	Drainage Utility Supervisor  Centerville Storm water Committee	>\$100	Drainage Utility Fund  Storm water Coalition	Active	n/a	Completed 2015-2020  Brochures have been purchased through the Davis County Storm water Coalition. See 3.1.3.4
Yearly	Mail one brochure with information on <del>storm water</del> stormwater-related issues through the City newsletter. (The newsletter is distributed to all postal customers in the city.)	Drainage Utility Supervisor  <del>Centerville Storm water Committee</del>	Unknown	Drainage Utility Fund	Active	2007	Completed in Year 5 of 2003-2008. Included in 2015-2020 SWMP.
Year 3	Implement a <del>storm water</del> stormwater hotline for information and reporting	Drainage Utility Supervisor  <del>Centerville Storm water Committee</del>	Unknown	Drainage Utility Fund	Active	2003	Completed. Included in the 2008-2013 SWMP under Illicit Discharge Detection and Elimination.

Year 3-5	Start a storm drain stenciling program	Drainage Utility Supervisor <del>Centerville Storm Water Committee</del>	To be determined	Drainage Utility Fund	Active	2003	<del>(continued)</del> Storm drain stenciling continues.
Year 3-5	Develop or participate in an educational program for school-age children	Drainage Utility Supervisor <del>Centerville Storm Water Committee</del>	To be determined	Drainage Utility Fund	Active	2003	Ongoing through the Davis County Storm Water Coalition.
							<del>(continued)</del>
Year 3-5	Distribute specific pollution prevention information to target groups such as businesses, churches, schools, etc.	Drainage Utility Supervisor <del>Centerville Storm Water Committee</del>	<del>\$50- \$150</del> To be determined	Drainage Utility Fund	Active	2007	Ongoing
Year 3-5 (or as available by the <del>Coalitions</del> <u>Coalition</u> )	Development of alternative information sources, such as bumper stickers, refrigerator magnets, posters, key chains, etc.	Drainage Utility Supervisor <del>Centerville Storm Water Committee</del>	To be determined	Drainage Utility Fund	Active	n/a	Some materials distributed through the <del>Storm Water</del> <u>Davis County Stormwater</u> Coalition.



### 3.3 Reaching Diverse Audiences

To be the most effective, our outreach program must address the viewpoints and concerns of a variety of audiences, including minority and disadvantaged communities, as well as children.

#### 3.3.1 Proposed BMPs

1. Diversify the materials and strategies used.
2. Specifically, target different audiences with appropriate brochures or activities. This includes focusing on specific business types such as gas stations, greenhouses, car washes, etc., and other groups or entities which may impact ~~storm-water~~stormwater runoff in the community.
3. Distribute the materials through individual ~~Letters~~letters, the City newsletter, local schools, the Neighborhood Network, and other civic groups.

#### 3.3.2 BMPs/Activities being implemented by Davis County and the Davis County Storm Water Coalition

##### CURB MARKERS

~~The~~Davis County has coordinated the purchase of curb markers with both a common countywide logo and each City logo on the stencil. The markers are available for community groups, such as civic, PTA, service organizations, and scouts to place them on curb inlets throughout each City.

##### TEACHING AT PUBLIC SCHOOLS

The Davis County Storm Water Coalition has contracted with an independent teacher to give presentations to all fourth-grade classes in all ~~54~~of the elementary schools within Davis County.

Materials used in the school demonstration have been jointly purchased and are owned by the ~~Cities~~cities and the County. The materials and supplies are stored in the County Public Works office and are made available to each ~~City~~city on a reservation basis.

##### COORDINATION WITH UTAH STATE UNIVERSITY EXTENSION SERVICE

Representatives from the Davis County Storm Water Coalition will:

- ~~1. Make a presentation to the master gardener class which runs each year from Jan-Mar, after which master gardeners could mention storm water protection—pesticides, fertilizer, etc. when giving gardening talks in the community.~~
- 2.1. Demonstrate the ~~storm-water~~stormwater model at Extension school agriculture field day in April or May to over 1,000 elementary school students.

- 3.2. Display ~~storm-water~~stormwater pamphlets at the Utah House and pavilion at Utah Botanical Center in Kaysville.
- 4.3. Promote ~~education~~educational tours for groups to visit ~~the~~ botanical center ponds, which are fed by ~~storm-water~~stormwater.
- 5.4. Provide articles on ~~storm-water~~stormwater in the USU Extensions newsletter which goes out every month to over 1,000 people.
- 6.5. Add ~~storm-water~~stormwater bulletins to the Extension bulletin display in ~~the~~ courthouse.

#### DEMONSTRATION DETENTION POND

Davis County has constructed a small detention pond and grass swales at the Public Works facilities in Fruit Heights. This facility demonstrates how water from shops and parking lots can be treated before it leaves the site.

#### NEWSPAPER ARTICLES

At least ~~once per year~~annually, County personnel will prepare news articles to be published in the regional newspapers. The ~~news~~ articles will relate current activities in the County, which demonstrate the progress being made to reduce the pollution of our streams.

Suggestions will be given concerning lawn fertilization, excess lawn watering, and dumping toxic ~~wasted~~waste and sand into the ~~urb. Direction~~gutter systems. Instruction will be given as to how to properly ~~disposing~~dispose of used oil, antifreeze, and paints.

#### COMMUNITY AND RESIDENTIAL PROGRAMS

Promote public reporting of illegal dumping and illicit discharges. The purpose of public reporting is to enable the County or the Davis County Health Department to respond to citizen complaints regarding water quality. Reports may be called ~~into~~at phone number 801-451-3296. Procedures for formal complaints are in place. As necessary, Davis County Public Works will assist the Health Department to investigate the source of the pollution. Investigations and enforcement measures will be documented by the County.

Information booths will be on display at each ~~City~~city and County office ~~Building~~building. The booth display will include the model used in the schools illustrating the hydrologic cycle in an urban setting and is accompanied by a series of pamphlets or other educational materials that explain how the public can help reduce pollutants exposed to rainfall. The materials that are handed out at the booths primarily consist of the current information developed by the Davis County Storm Water Coalition.

### 3.3.3 Funding

Funding for the proposed BMPs in Section 3.3.1 will be an expense of the City's Drainage Utility Fund. The associated costs to participate have yet to be determined as

some of these activities will be dependent upon the City's participation in the Davis  
County Storm ~~water~~Water Coalition.

See **Table 4** for Status of Measurable Goals for Reaching Diverse Audiences.

**Table 4. Status of Measurable Goals for Reaching Diverse Audiences**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Identify different target groups and appropriate materials to be used with each group	Drainage Utility <u>Supervisor</u>	<del>≥\$100</del> <u>~ \$150</u>	Drainage Utility Fund	<del>Active</del> <u>Planned</u>	<u>2008</u>	Prepare a list of various target groups and outlines of plans to address related issues developed.
Year 2-5	Develop brochures and/or fact sheets for the general public that provide specific information on <del>storm-water</del> <u>stormwater</u> -related issues for each target group.	Drainage Utility <u>Supervisor</u>	<del>≥\$100</del> <u>~ \$250</u>	Drainage Utility Fund	Active	2007	Develop one brochure or fact sheet each year. Mailed in City Newsletter addressing <del>storm-water</del> <u>stormwater</u> issues for residents.
Year 2-5	Mail one brochure with information on <del>storm-water</del> <u>stormwater</u> -related issues to each target group.	Davis County Storm Water Coalition	<del>≥\$100</del> <u>~ \$200</u>	Drainage Utility Fund	Active	2007	Mail one brochure to every target group identified. Mailed informational letter to targeted businesses in 2020.



### 3.4 Public Involvement/Participation

#### 3.4.1 Requirements

REQUIRED: Comply with ~~State~~state and local public notice requirements when implementing a public involvement/participation program. Public involvement/participation programs should include steps to foster and include public input in developing, implanting, and reviewing ~~storm-water~~stormwater management programs.

An active and involved community is crucial to the success of the ~~storm-water~~stormwater management program because it allows for:

1. Broader public support since citizens who participate in the development and decision-making process are partially responsible for the program and, therefore, may be less likely to raise legal challenges to the program and more likely to take an active role in its implantation.
2. Shorter implementation schedules due to fewer obstacles in the form of public and legal challenges and increased sources in the form of citizen volunteers.
3. A broader base of expertise and economic benefits since the community can be a valuable, and free, intellectual resource.
4. A conduit to other programs as citizens involved in a ~~storm-water~~stormwater program development process provides important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when trying to implement a ~~storm-water~~stormwater program on a watershed basis, as encouraged by the EPA.

The basic requirement of the public participation/involvement is to be in compliance with all applicable ~~State~~state and local public notice requirements. The EPA also requires that appropriate BMPs and measurable goals be included as a part of the program. The EPA recommends that the municipality provide opportunities for the public to participate in activities such as a local ~~storm-water~~stormwater management panel or committee, volunteer monitoring, stream clean-up days, etc.

Based on recommendations from the EPA and requirements of the State of Utah the following goals have been considered when determining which BMPs ~~theCenterville~~City of Centerville will implement as part of the ~~storm-water management plan~~Stormwater Management Plan.

#### 3.4.2 Goals

1. Make efforts to reach out and engage all economic and ethnic groups in the community.
2. Provide opportunities for members of the public to participate in the development and implementation including serving as a citizen representative on a local ~~storm water~~stormwater management panel, attending public hearings, working as citizen

volunteers to educate other individuals about the program, assisting in program coordination with pre-existing programs, or participating in volunteer monitoring efforts.

3. Promote, publicize, and facilitate other information community and industrial help projects like stream watch programs, workshops, speaking engagements, inlet stenciling programs, brochures, public service announcements, and/or other outreach measures (surveys, counts, or other feedback may measure the success of these programs).

The BMPs that ~~the city of~~ Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah.

### 3.4.3 Proposed BMPs

1. Full compliance with ~~State~~state and local laws regarding the advertisement and notification of public hearings and other related meetings regarding the development and implementation of the ~~storm-water~~stormwater management plan.
2. Develop and implant a Centerville ~~Storm-water~~Stormwater Committee to give input, feedback, and recommendations to the implementation of the ~~storm water~~stormwater management plan.
3. Use the Centerville ~~Storm-water~~Stormwater Committee to develop and promote the BMPs associated with the Public Information and Outreach part of the ~~storm water management plan~~Stormwater Management Plan.
4. Continue the storm drain stenciling program.
5. Involve the community in community clean-ups along local creeks, ditches, swales, and other drainage areas.
6. Develop a citizen watch group and/or adopt a storm drain program to encourage individuals or groups to keep storm drains free from debris and aid local officials in identifying polluters and monitor what is entering the local waterways through the storm drain system.

### 3.4.4 Funding

Funding for the proposed BMPs in Section 3.4.3 will be an expense of the City's Drainage Utility Fund.

See **Table 5** for Status of Measurable Goals for Public Involvement/Participation.

**Table 5. Status of Measurable Goals for Public Involvement/Participation**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Establish guidance for full compliance with State and local laws regarding the advertisement and notification of public hearings.	Drainage Utility Supervisor City Recorder	>\$~\$100	Drainage Utility Fund	Active	2007	Document all public hearings held <del>in regards to storm water</del> regarding stormwater.
<del>Year 1</del>	<del>Develop a Centerville Storm water Committee.</del>	<del>Drainage Utility Supervisor, Mayor, City Manager</del>	<del>Volunteers</del>	<del>None</del>	<del>Dropped</del>	<del>n/a</del>	<del>Dropped from the plan due to lack of participation. Will reconsider in the future.</del>
Year <del>2-5</del> <u>1</u>	<del>Use the</del> <u>Develop a</u> Centerville <del>Storm water</del> <u>Stormwater</u> Committee <del>to develop</del> and promote the BMPs associated with the Public Information and Outreach part of the SWMP.	Drainage Utility Supervisor <del>Centerville Storm Water Committee, Mayor, City Manager</del>	<del>&gt;\$100</del> <u>Volunteers</u>	<del>None</del> <u>Drainage Utility Fund</u>	Dropped	n/a	Dropped from the plan due to lack of participation. Will reconsider in the future.

Year 2-5	Schedule at least one community clean-up day or other volunteer projects to clean up local drainage ways-	Drainage Utility Supervisor  Centerville <del>Storm Water</del> <u>Stormwater</u> Committee	Unknown	Drainage Utility Fund	Planned	<u>To be determined</u>	Document the date and activity held.
							(continued)
Year 3-5	Implement a citizen's watch group.	Drainage Utility Supervisor  Centerville <del>Storm Water</del> <u>Stormwater</u> Committee	Unknown	Drainage Utility Fund  Centerville City	Dropped	n/a	Dropped from the plan due to lack of participation. Will reconsider in the future.
Year 4-5	Implement an adopt-a-storm drain program.	Drainage Utility <u>Supervisor</u>  Centerville <del>Storm Water</del> <u>Stormwater</u> Committee	Unknown	Drainage Utility Fund	Planned	<u>To be determined</u>	Track the number of Storm drains adopted and track the maintenance performed.



### 3.5 Illicit Discharge Detection and Elimination

#### 3.5.1 Requirements

REQUIRED: Develop, implement, and enforce a program to detect and eliminate illicit discharges and improper dumping into the MS4; (as defined in 40 CFR 122.26(b)(2)).

1. Develop a ~~storm-water~~stormwater system map, showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls;
2. To the maximum extent allowable under State or local law, effectively prohibit, through an ordinance, or other regulatory mechanisms, non-~~storm water~~stormwater discharges into the system and implement appropriate enforcement procedures and actions;
3. Develop and implement a plan to detect and address non-~~storm-water~~stormwater discharges including illegal dumping into the system;
4. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;
5. Promote, publicize and coordinate or assist in the coordination of the establishment or availability of programs to collect used motor vehicle fluids (including oil and antifreeze) and to collect household hazardous waste materials (including ~~point~~paint, pesticides, herbicides, and other hazardous wastes) for recycling and reuse;
6. Unless identified by the permittee or the Executive Secretary as a significant source of pollutants to waters of the ~~state~~State, the following non-~~storm water~~stormwater discharges need not be prohibited from entering the MS4, provided appropriate control measures, (if needed) to minimize the impacts, are developed and implemented under the SWMP:
  - a. Waterline flushing or other potable water sources~~;~~;
  - b. Landscape irrigation or lawn watering~~;~~;
  - c. Approved diverted stream flows~~;~~;
  - d. Groundwater infiltration to storm drains~~;~~;
  - e. Air conditioning condensation~~;~~;
  - f. Natural riparian habitat or wetland flows~~;~~;
  - g. Emergency firefighting activities~~;~~;
  - h. Swimming pools (only if de-chlorinated in accordance with federal regulations to less than 0.4 PPM chlorine)~~;~~;~~or~~;
  - i. Discharges specified in writing by the Public Works Director as being necessary to protect public health and safety~~;~~;
  - j. Promote and publicize a hotline for reporting illicit discharges.

~~Illicit~~Certain discharges are considered illicit because MS4s are not designed to accept, process, or discharge ~~such as non-storm water~~stormwater wastes. Illicit discharges enter the system through either direct connections (e.g., wastewater piping either mistakenly or deliberately connected to the storm drains) or indirect connections (e.g., infiltration from cracked sanitary systems, spills collected by drain outlets, or other contaminants dumped

directly into a storm drain). The result is untreated discharges that contribute to high levels of pollutants, including heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria into receiving water bodies. These increased pollutant levels can be high enough to significantly degrade receiving water quality and threaten aquatic, wildlife, and human health.

Based on recommendations from the EPA and requirements of the State of Utah the following goals have been considered when determining which BMPs ~~the City of Centerville~~ City will implement as part of the ~~storm water management plan~~ Stormwater Management Plan.

### 3.5.2 Goals

1. Develop a ~~storm water~~ stormwater system map, showing the location of all outfalls and the names and ~~location~~ locations of all waters of the State that receive discharges from those outfalls.
2. Develop ordinance language that prohibits non-~~storm water~~ stormwater discharges into the storm drain system and provides for appropriate enforcement procedures and actions.
3. Develop a plan to detect and address non-~~storm water~~ stormwater discharges, including illegal dumping.
4. Educate public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste.

### 3.5.3 Proposed BMPs

1. ~~Centerville's~~ Centerville City's storm drainage system is mapped and includes storm drains, sub drains, ditches, swales, culverts, creeks, catch basins, and manholes. Future plans include continuing to update storm drainage maps to include new development as well as improving the accuracy of existing infrastructure. The mapping system should be utilized to record illicit connections, cleanings, and video inspections and to track problem areas or systems that need to be re-inspected at the end of ~~two-year warranties~~ warranty periods.
2. ~~Centerville's~~ Centerville City's Title 16 Storm Water Ordinance was adopted on July 1, 2007. Chapter 16-.04 (~~Prohibited Actions~~) and Chapter 16-.05 (~~Violations and Enforcement~~ ~~regulates~~) regulate and ~~identifies~~ identify non-~~storm water~~ stormwater discharges and enforcement options. Future plans include applying the ordinance in the field and presenting improvements and/or modifications to increase its effectiveness and enforceability.
3. Developing a plan to detect and address non-~~storm water~~ stormwater discharges will consist of four parts:
  - a. Locating Problem Areas – Centerville City will continue to video inspect its piped portion of the storm drain system to identify ~~and~~ illicit or illegal connections. The City also plans to work with appropriate agencies, such as the Davis County Department of Health to identify other sources of

illegal discharges. This may include sampling and monitoring of manholes, creeks, and/or other drainage ways, dye testing, and/or smoke testing.

- b. Finding the Source – Where applicable the City will perform testing or other investigations to determine the source of illicit discharges or dumping into the storm drain system.
  - c. Removing/Correcting Illicit Connections – If illegal connections are identified, the offenders will be notified and directed to correct the problem. Education efforts will also be used to train and resolve problems before taking legal action.
  - d. Documentation of the Actions Taken – All actions associated with identifying and correcting illegal discharges will be documented, including information such as the number of outfalls screened; complaints received and corrected; the number of discharges and quantity of flows eliminated; the number of tests performed, etc.
4. The City has begun both commercial and construction site inspections to identify non-~~storm water~~stormwater discharges. The City also video inspects storm drain lines in existing and new development to ensure illicit connections have not been made. Building inspectors and the City Engineers have been informed about illicit roof drain to sub-drain connections. Future goals include improving the inspection and reporting process by increasing the regularity and number of inspections and recording inspections utilizing software that allows tracking and queries.
  5. Educational outreach will be implemented under activities in ~~section~~Section 3.1 of this ~~plan~~SWMP. City employees receive annual safety training in regards to ~~storm water~~stormwater pollution and types of illicit discharges. Some commercial businesses have been sent a BMP educational brochure that reviews ~~storm water~~stormwater pollution and various types of illicit discharges. The general public receives an annual City Newsletter that also reviews ~~storm water~~stormwater pollution and various types of illicit discharges. Future goals include reaching out to all of the businesses within Centerville by purchasing and mailing a ~~storm water~~stormwater brochure that specifically targets commercial sites.
  6. The City ~~Newsletter~~newsletter publicizes the phone number for the Solid Waste District which accepts many common household hazardous wastes. Future goals include researching the feasibility of an annual ~~city~~City-wide cleanup day for hazardous waste to include the collection of paint, oil, antifreeze pesticides, herbicides, and other hazardous wastes.
  7. ~~Centerville's~~Centerville City's Title 16 ~~Storm Water~~Stormwater Ordinance identifies non-~~storm water~~stormwater discharges that are allowed. Future goals include monitoring discharges and adjusting the list of non-~~storm water~~stormwater discharges as needed.

The BMPs that ~~the City of~~ Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah.

#### 3.5.4 Funding

Funding for the proposed BMPs in Section 3.5.3 will be an expense of the City's Drainage Utility Fund.

See **Table 6** for Status of Measurable Goals for Illicit Discharge and Elimination

**Table 6. Status of Measurable Goals for Illicit Discharge and Elimination**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date
Year 1	Map development-	Drainage Utility Supervisor; GIS Specialist	Unknown	Drainage Utility Fund	Active	2003
Year <del>1-2</del> -3	Video inspections- <u>of problem areas</u>	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	<del>Planned</del> Active	<del>2003</del> 2021
Year 2- <del>4</del>	<del>Establish an ordinance-</del> <u>Review ordinances</u>	Drainage Utility Supervisor; City Council	<del>&gt;\$100~</del> <u>\$1,000</u>	Drainage Utility Fund	<del>Completed</del> Planned	<del>2007</del> 2022
<del>Year 3</del>	<del>Completion of video inspection of all drain lines-</del>	<del>Drainage Utility Supervisor</del>	<del>Unknown</del>	<del>Drainage Utility Fund</del>	<del>Active</del>	<del>2003</del>
Year 4-5	Promotion of proper Hazardous Waste Disposal and hotline to report dumping violations.	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007



### 3.5.5 Spill Incident Response and Reporting

The following spill incident reporting chart will be used to respond to spills and report them to appropriate agencies:

- A spill is observed or a Report of Spill comes in
  - Does the incident pose an immediate threat to life or health?
    - Yes – Call 911 (describe the material, amount, and extent)
      - describe the incident in the spill log
    - No – move to next step
  - Are you able to safely contain the spill with tools and/or material at hand?
    - Yes – Contain the spill and secure the area, then ensure clean-up is done
      - report according to the reporting list below; and
      - describe the incident in the spill log
    - No – move to next step
  - Is it during regular working hours?
    - No – Call 911 (describe the material, amount, and extent)
      - describe the incident in the spill log; and
      - on next working day report according to reporting list below
    - Yes – report according to reporting list below
      - describe the incident in the spill log

#### **Pollutant Description**

Pollutant releases to water (surface or groundwater)  
Hydrocarbons (fuel, oil), release of 25 gallons or more  
Radiological Materials, any spill or release  
Extremely Hazardous chemicals, 2.2 lb. or more  
(e.g. Cyanides, Arsenic, Chlorine)  
Other Hazardous chemicals, 220 lb. or more  
Underground Storage Tank, any leaking or release

#### **Report to:**

Davis Co., UDEQ, & NRC  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
Davis Co. and UDEQ  
UDEQ

*Other spills, particularly those contained and cleaned up, do not need to be reported*

#### **Phone Contact List:**

Emergency	911
Davis County Environmental Health	801-525-5100
National Response Center (NRC)	800-424-8820 (24 hour)
Utah Dept. of Environmental Quality (UDEQ)	801-536-4123 (24 hour)
Utah Division of Solid and Hazardous Waste	801-538-6170
Utah Hazmat Response Officer	801-538-3745 (24 hour)

## 3.6 Construction Site Runoff Control

### 3.6.1 Requirements

REQUIRED: Develop, implement, and enforce a program to reduce pollutants in ~~storm water~~stormwater runoff from construction activities, including residential construction that result in a land disturbance. Reduction of ~~storm-water~~stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction is part of a larger common plan of development that would disturb one acre or more. Minimum requirements include:

1. An ordinance or other regulatory mechanism requiring the implementation of proper erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law.
2. An ordinance or other regulatory mechanism shall, at a minimum, require construction operators to prepare a ~~Storm-Water~~Stormwater Pollution Prevention Plan (SWPPP).
3. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices.
4. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.
5. Procedures for site plan review which incorporate consideration of potential water quality impacts.
6. Procedures for information submitted by the public.
7. Procedures for site inspection and enforcement of control measures.
8. The development of a written enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism which shall include procedures and sanctions.

### 3.6.2 Goals

The BMPs that ~~the City of~~ Centerville City has elected to implement are based on recommendations by the EPA and the State of Utah.

The Construction Site ~~Storm-Water~~Stormwater Runoff Control Program ~~section~~Section of the SWMP addresses water quality concerns for construction sites greater than or equal to one acre. Polluted ~~storm-water~~stormwater runoff from construction sites often flow to storm drains and into receiving waters. This runoff can contribute more sediment to receiving waters than can be deposited naturally during several decades. The resulting siltation can cause physical, chemical, and biological harm to receiving waters. The BMPs described in this ~~section~~Section of the SWMP includes the development of a construction site program designed to reduce pollutants in ~~storm-water~~stormwater runoff from construction activities. This program will include procedures for construction site

plan review, site inspections, public reporting, contractor education, and notification of permit requirements to all construction site owners/operators.

This program will also be integrated with other facts of the SWMP to provide information and up-to-date BMPs to the end-user. The following BMPs describe implementation tasks to be completed by Centerville City for the Construction Site ~~Storm~~ WaterStormwater Runoff Control Program.

### 3.6.3 Proposed BMPs

Centerville City ~~will develop~~ has developed an ordinance with requirements for construction operators to use erosion and sediment controls and maintain appropriate structural and non-structural BMPs to reduce pollutants discharged during times of soil disturbances or excavation activities, along with penalties to enforce and ensure compliance. In addition, ~~develop~~ requirements have been developed for operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the site that may cause adverse impacts to water quality.

A construction site permit will be required for construction activities in accordance with the proposed ordinance. For the ~~purposed~~ purpose of this permit, construction activities are defined as activities that change the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping ~~for~~ any natural or man-made watercourse.

An erosion control plan must be submitted for review and approval prior to commencing grading operations. The erosion control plan is intended to prevent erosion during the construction phase by implementing various erosion control measures as appropriate. Such measures may include temporary silt or sediment fences, sediment traps, and detention ponds, temporary and permanent vegetation, or other approved ~~BMP~~ BMPs.

In addition, the permit requires operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste, and other construction-related pollutants at the site that may cause adverse impacts to water quality.

### CONSTRUCTION SITE PERMIT APPLICATION

A ~~Storm Water~~ Stormwater Pollution Prevention Plan (SWPPP) must be submitted with the Permit Application. The SWPPP shall include the following information:

#### A. General Information

1. A site description which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation,

etc.), and estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;

2. A description of the proposed measures and controls that will be implemented during construction activity and/or while the site is not stable. The SWPPP must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to ~~subsection~~Subsection (1). The SWPPP shall also state the name and phone number of the persons or entity responsible for the implementation of each control measure.

#### B. Goals and Criteria

1. The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable (MEP) the discharge of sediment, debris, and other construction-related pollutants from the construction site by ~~storm water~~stormwater runoff into the storm drain system.
2. The proposed measures and controls shall be designed to prevent or minimize, to the MEP, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris, or other potential pollutants onto public streets and rights-of-way. Any such discharge shall be cleaned up and removed immediately upon notification to the Permittee or when it otherwise comes to the attention of the Permittee. At a minimum, the deposit or discharge shall be cleaned and removed at the end of the work shift in which the deposit occurred, or at the end of the workday, whichever comes first.
3. The proposed measures and controls shall consist of BMPs available at the time that the SWPPP is submitted. BMPs may include, but shall not be limited to, temporary silt or sediment fences, sediment traps and detention ponds, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, establishment of temporary grasses, and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, subsurface drains, pipe slope drains, level spreaders, rock outlet protection, reinforced soil ~~retains~~retaining systems, and gabions.
4. The proposed measures and controls shall be designed to preserve existing vegetation, where possible. Disturbed portions of the site shall be stabilized. Stabilization practices may include temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. The use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in disturbed portions of the site where construction activities have temporarily or permanently ceased, but

in no case, more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, except under the following circumstances:

- a. If the initiation of stabilization measures by the 14<sup>th</sup> day after construction activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or
  - b. If construction activity on a portion of the site is temporarily ceased, and earth disturbing will resume within 21 days, temporary stabilization measures need not be initiated on that portion of the site.
5. The proposed measures and controls shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents, and other chemicals) from the construction site. Such measures may include the implementation of storage practices to minimize exposure of the material to ~~storm water~~stormwater as well as spill prevention and response.

#### SITE PLAN REVIEW

Centerville City will develop a procedure for site plan review, which incorporates considerations for potential short and long-term water quality impacts and minimizes these impacts, to the MEP. The site plan review shall include requirements for operators to control other wastes such as discarded building materials, concrete truck washout chemicals, litter, and sanitary waste that may adversely impact water quality.

~~Centerville's Storm Water~~Centerville City's Stormwater Ordinance supplies the framework for the Construction Site ~~Storm Water~~Stormwater program as well as the regulatory jurisdiction for enforcement. Site plan review and approval procedures have been developed.

Site plans will incorporate specific BMPs for erosion and sediment control purposes and other waste control measures. Consideration for proper operation and maintenance of control measures will be incorporated into the site plan review process.

Centerville City personnel who currently review site plans will evaluate ~~storm water~~stormwater controls. Guidelines for appropriate erosion and sediment control measures are part of the personnel training.

#### SITE INSPECTIONS

Centerville City has developed procedures for site inspection and enforcement of erosion control measures at construction sites to deter infractions. Procedures include steps to identify priority sites for inspection and enforcement based on the nature and extent of the construction activity, topography, and the characteristics of soils and receiving water quality.

~~Centerville's Storm Water~~Centerville City's Stormwater Ordinance supplies the framework for the Construction Site ~~Storm Water~~Stormwater program as well as the



regulatory jurisdiction for enforcement. Regular inspections by qualified personnel will help to ensure erosion and sediment controls are operating properly and to identify problem areas. Procedures for site inspections and follow-up activities will be developed.

## PUBLIC REPORTING

The public can play a crucial role in identifying an instance of noncompliance. Public reporting can provide important assistance in preventing ~~storm-water~~stormwater pollution during construction activities. ~~Maintain~~Maintaining procedures for the receipt and consideration of public inquiries, concerns, and information submitted regarding ~~storm water~~stormwater runoff from local construction activities are key in preventing pollution.

As noted in the education section of the SWMP, Davis County will promote public reporting of illegal dumping and illicit discharges. The purpose of public reporting is to enable the ~~county~~County or the Davis County Health Department to respond to citizen complaints regarding water quality. Reports may be called ~~inteat~~ phone number 801-451-3296. Procedures for formal complaints are in place. As necessary, Davis County Public Works will assist the Davis County Health Department to investigate the source of the pollution. Davis County will document all investigations and enforcement measures, including any fee penalties.

## CONTRACTOR EDUCATION

Develop and distribute appropriate education and training materials for construction site operators. Contractor education on ~~storm-water~~stormwater issues will be crucial in minimizing ~~storm-water~~stormwater pollution during construction activities.

Guidance Document for Storm Water Management: The Davis County Storm Water Coalition has created a guidance document of BMPs for construction sites: *A Guide to Storm Water Best Management Practices* is available on the Centerville ~~City's~~City website.

Additional Guidance Documents: EPA's *A Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices* and other appropriate publications will be made available.

## UPDES CONSTRUCTION PERMIT NOTIFICATION

Notify all construction permit applicants of their potential responsibilities under the ~~UPDES~~UPDES permitting program for construction site runoff. Procedures for notification of UPDES permit requirements ~~will behave been~~ developed. Making construction permit applicants aware of UPDES permit requirements for construction activities ~~will beis~~ beneficial in minimizing ~~storm-water~~stormwater pollutant runoff from such sites.

The table below represents measurable goals that are to be implemented and assessed during the permit term. The purpose of measurable goals is to gauge permit compliance and program effectiveness.

#### 3.6.4 Funding

Funding for the proposed BMPs in Section 3.6.3 will be an expense of the City's ~~drainage utility fund~~ Drainage Utility Fund. Other sources of funding may include fees imposed on contractors, builders, developers, or costs incurred by them while implementing the selected BMPs in conjunction with their permits.

See **Table 7** for Status of Measurable Goals for Construction Site Runoff Control.

**Table 7. Status of Measurable Goals for Construction Site Runoff Control**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Review existing ordinances-	Drainage Utility Supervisor  City Attorney City Council	<del>Unknown</del> \$1,000	<u>Drainage Utility Fund</u>	<del>Completed</del> Planned	<del>2007</del> To be determined	
Year 1-2	Modify existing ordinances or develop new ordinances regarding pollution prevention on construction sites-	Drainage Utility Supervisor City Attorney City Council	Unknown	<u>Drainage Utility Fund</u>	Completed	<del>2007</del>	
Year 2	<del>Complete</del> <u>Review</u> selection of approved BMPs and <del>develop a book</del> to be used by the <del>city</del> City and contractors-	Drainage Utility Supervisor	<del>Unknown</del> \$0	Drainage Utility Fund	<del>Completed</del> Planned	<u>To be determined</u> <del>2008</del>	
Year 3	Train personnel and contractors/develop an education program	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	
Year 4-5	Enforcement of ordinance	Drainage Utility Supervisor	Unknown	<u>Drainage Utility Fund</u>	Active	2007	

### 3.7 Post Construction Runoff Control

#### 3.7.1 Requirements

REQUIRED: The permittee must:

1. Develop, implement, and enforce a program to address ~~storm-water~~stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that is part of a larger common plan of development or sale or that has been designated to protect water quality, that discharge into the MS4. The program must ensure that controls are in place that will protect water quality that discharges into the MS4. The program must ensure that controls are in place that will protect water quality and reduce the discharge of pollutants to the maximum extent practicable.
2. Develop and implement strategies which include a combination of structural and/or nonstructural BMPs.
3. Develop and define a specific hydrologic method or for calculating runoff volumes and flow rates to ensure consistent sizing of structural BMPs and that include a plan review process.
4. Develop a program that includes a process that requires the evaluation of a Low Impact Development (LID) approach.
5. Develop and adopt an ordinance or other regulatory mechanism that requires long-term post-construction ~~storm-water~~stormwater controls at new development and redevelopment sites. The permittee's ordinance or other regulatory mechanisms must include an appeals process and include enforcement provisions, including specific processes and sanctions.
6. Develop provisions for post-construction access for Permittees to inspect ~~storm-water~~stormwater control measures on private properties that discharge to the MS4 to ensure that adequate maintenance is being performed.

#### Pollution Prevention/Good Housekeeping

REQUIRED: The permittee must:

1. Develop and implement an operation and maintenance program that includes a training component and is designed to reduce the discharge of pollutants to the maximum extent practicable, and
2. Include employee training to prevent and reduce ~~storm-water~~stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and ~~storm-water~~stormwater system maintenance.

The Pollution Prevention/Good Housekeeping portion of the ~~Storm Water~~Stormwater Management Plan addresses routine activities in the operation and maintenance for drainage systems, roadways, parks, and open spaces, and other municipal operations to help ensure a reduction in pollutants

entering the storm drain systems. The program will implement BMPs to address specific roadway practices which include snow removal, deicing, salt pile management, and road crew training. This program will also focus on storm drainage system maintenance, structural floatable controls, maintenance yard practices, flood control projects, litter ordinance development, pesticide, herbicide, and fertilizer program, and spill prevention and response.

This program will also be integrated with the Public Education and Outreach, Public Involvement/Participation, and Illicit Discharges and Improper Disposal Programs to promote awareness of water quality concerns in performing routine roadway maintenance and operation, and other practices. The following BMPs describe implementation tasks and assessment tasks to be completed by Davis County for the Pollution Prevention/Good Housekeeping Program.

### 3.7.2 Goals

The BMPs that the City of Centerville has elected to implement are based on recommendations by the EPA and the State of Utah.

### 3.7.3 Proposed BMPs

#### STORM DRAIN SYSTEM MAINTENANCE

Maintain existing drainage system operation, maintenance, and cleaning procedures to reduce pollutants in ~~storm-water~~stormwater runoff. Identify areas of chronic problems and develop and implement corrective actions for these areas. Personnel training is a component of this program. Proper system maintenance and employee training will help to reduce ~~storm-water~~stormwater impacts from such activities as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and ~~storm-water~~stormwater system maintenance.

#### SNOW REMOVAL

Review and assess current snow removal and disposal procedures for prevention and reduction in ~~storm-water~~stormwater pollution. Centerville City has a policy to keep all roads open and free of snow or ice pack during every storm. The salt application rate is based on the temperature and snowpack conditions on the road surface accordingly. It is the objective of the City to operate snow removal procedures in a manner to reduce the discharge of pollutants to the MEP, without compromising motorist's safety.

#### STORM DRAIN SYSTEM WASTE DISPOSAL

Review and assess current disposal procedures for waste removed from the storm drain system. Such wastes include dredge spoil, accumulated sediments, floatables, and other debris. Controls for reducing or eliminating the discharge of pollutants from areas such as roads and parking lots, maintenance and storage yards, and waste transfer stations will help to reduce the discharge of pollutants to receiving water bodies.



It is the intention of Davis County to work with communities to create a countywide disposal system for the proper removal and disposal of waste from the storm ~~drains~~drain system to reduce the discharge of pollutants to the MEP. This site could also provide disposal for household hazardous materials like paint, pesticides, and oils as stated on page 14, concerning illicit discharges.

#### ROAD CREW TRAINING

Educate public employees regarding pollutants that may be discharged to storm drain systems and potential impacts. Proper training can reduce pollutants from such activities as tack oil application, excess concrete, concrete truck washout, and spill clean-up. Road crew training will occur at a minimum of once per permit term as part of a City-wide ~~storm-water~~stormwater training program. The purpose of the training is to update public employees on ~~storm-water~~stormwater issues and to provide a platform for a roundtable discussion on current practices and procedures and how they impact ~~storm~~waterstormwater quality.

#### POLLUTION PREVENTION PRACTICES FOR MAINTENANCE YARDS

Pollution prevention measures at equipment yards and maintenance facilities. Proper controls and procedures at these locations will help to control polluted runoff. The shops and washing bays will drain into an oil and grease separator before flowing into the detention pond. Alternative BMPs will be implemented as appropriate to minimize pollutants entering the storm drain system ~~form~~from these facilities.

#### FLOOD CONTROL PROJECTS

Assess new and existing flood control projects with respect to water quality concerns and modify capital improvement projects as necessary. In order to accomplish this, the flood control permit checklist will contain a section for water quality review. Incorporate additional BMPs to reduce ~~storm-water~~stormwater pollutants as appropriate. Personnel training will be a component of this program.

#### PESTICIDE, HERBICIDE, AND FERTILIZER PROGRAM

Maintain current inventory, evaluate pesticide, herbicide, and fertilizer usage on Centerville City properties by municipal employees. Current BMPs will be evaluated and implemented as appropriate to reduce the discharge of pollutants related to the application of pesticides, herbicides, and fertilizers applied by municipal employees or contractors to public right-of-ways, parks, and other municipal facilities.

Centerville City will assess and evaluate application procedures, rates, and implement BMPs to reduce the discharge of pollutants related to these activities. Potential alternative PHFs will be evaluated to minimize the discharge of pollutants to ~~storm-water~~stormwater from PHF procedures and practices.

#### SPILL PREVENTION AND RESPONSE PROGRAM

Maintain the current Emergency Response Program. Maintain personnel on call to respond to reports of spills or discharges and the MEP, identify and investigate the source of the discharge and use the regulatory authority to take enforcement actions against

violators to correct the illicit discharge activity. Local fire departments are also equipped to respond to spills, to mitigate spills, and to eliminate the danger to human health. The current program will be evaluated for effectiveness and will be modified as necessary. Personnel training is an important component of this program.

#### MONITORING, RECORD KEEPING, AND REPORTING

The streams and channels located in David County do not have TMDL approved limits. Davis County Environment Health Department in cooperation with Weber Basin Water Quality Laboratory currently monitors sixteen streams or discharge points on a quarterly schedule. The sampling points are described as follows:

Lower Millcreek	Lower Stone Creek
Lower Farmington Creek	Lower Kays Creek
Lower Kays Creek near Hill Field Drain	North Davis Sewer Plant
North Davis Sewer Discharge Canal	West Gentile Drain
Upper Holmes Creek	Upper Millcreek
Upper Stone Creek	Upper Deuel Creek
Upper Barnard Creek	Upper Farmington Creek
Storet #49901	Storet #49902

The samples are analyzed for Total Dissolved and Suspended Solids, turbidity, Total Organic Carbon, Nitrate-Nitrite, Dissolved Orthophosphate, and Total Phosphorus.

The County has archived the sampling results, which provides a baseline reference for future investigations. As the ~~storm-water~~stormwater management plans are implemented the sampling results may be reviewed and water quality trends established.

The Davis County Health staff will conduct periodic visual water quality monitoring and if obvious illicit discharges are noted, further investigation measures will be implemented to locate the source.

The sampling records are kept in the offices of the Davis County Environmental Health Department, located at 99 South Main, Farmington, Utah 84025.

#### 3.7.4 Funding

Funding for the proposed BMPs in Section 3.7.3 will be an expense of the City of Centerville's Drainage Utility Fund.

See **Table 8** for Status of Measurable Goals for Post Construction Site Runoff Control.

**Table 8. Status of Measurable Goals for Post Construction Site Runoff Control**

Target Date	Activity/Goal/BMP	Responsible Entity	Cost	Funding Source	Status	Implementation Date	Assessment
Year 1	Review existing ordinances-	Drainage Utility Supervisor City Attorney	<del>Unknown</del> \$0		Completed	2007	
Year 1-2	<del>Modify</del> <u>Review</u> existing ordinances or develop new ordinances regarding pollution prevention on construction sites-	Drainage Utility Supervisor <sub>1</sub> City Attorney <sub>1</sub> City Council	<del>Unknown</del> \$1,000	<u>Drainage Utility Fund</u>	<del>Completed</del> <u>Planned</u>	<del>2007</del> <u>To be determined</u>	
Year 2	<del>Complete</del> <u>Review</u> selection of approved BMPs <del>and develop a book</del> to be used by the city and contractors-	Drainage Utility Supervisor	<del>Unknown</del> \$0	Drainage Utility Fund	<del>Completed</del> <u>Ongoing</u>	2008	
Year 3	Train personnel and contractors/develop an education program	Drainage Utility Supervisor	Unknown	Drainage Utility Fund	Active	2007	
Year <del>4</del> <u>1</u> -5	Enforcement of ordinance	Drainage Utility Supervisor	Unknown		Active	2007	

## SECTION 4 – LOW IMPACT DEVELOPMENT

### 4.1 Low Impact Development (LID) Standards

#### 4.1.1 LID Purpose for ~~the City of~~ Centerville City

The purpose of LID is to improve the quality of ~~the City of Centerville's~~ Centerville City's water resources and the water resources' beneficial use. The principal behind the LID regulation is to imitate natural hydraulic and geologic processes as much as reasonably possible. Water resources can be significantly impacted by developments of all types, especially modern urban developments. A significant portion of precipitation infiltrates back into the ground prior to development with much of the excess runoff being filtered by plants, these plants essentially pre-treat the runoff before reaching surface drainage ways. Urban developments and their drainage systems are more polluted and largely bypass the natural processes that were once present, this results in increased flooding and polluted waterways. Low Impact Development (LID) Standards assist in reducing potential flooding and the pollution of drainage systems. The City has elected to allow the following LID options:

#### 4.1.2 Options of LID Standards ~~to be Implemented~~

##### 1. BIORETENTION CELLS

A Bioretention Cell is a ~~storm-water~~ stormwater Best Management Practice (BMP) designed to capture and treat runoff from impermeable surfaces. ~~Storm-water~~ Stormwater flows over impervious surfaces and is conveyed as sheet flow down a vegetated slope, which slows the incoming runoff velocity and provides initial filtration of particulates from the runoff. The runoff continues to a ponding area where it is filtered by plants, an organic or mulch layer, and native or engineered soils. Many natural and biological processes, such as absorption and decomposition, occur during filtration. These processes remove pollutants and improve water quality. The filtered runoff can then be collected in an underdrain and returned to a ~~storm-water~~ stormwater system.

In addition to providing stormwater management benefits, such as runoff quantity control and pollutant removal, Bioretention Cells often result in cost savings by decreasing the need for traditional ~~storm-water~~ stormwater structures, such as inlets and pipes. Bioretention areas can also improve the aesthetics of areas such as parking lots or curbsides.

##### 2. BIOSWALES

~~Bioswales~~ A Bioswale is a stormwater BMP that ~~are~~ provides an aesthetically-pleasing alternative to concrete gutters and storm sewers, utilizing vegetated low-lying areas or troughs that use plant materials and specialized soil mixes to treat, absorb, and convey ~~storm-water~~ stormwater runoff. They convey ~~storm-water~~ stormwater runoff from a roadway or parking lot into a storm sewer system or other retention areas. Bioswales are able to absorb runoff from small rain events and treat larger amounts of runoff which are then directed to the larger stormwater management system. These can also reduce the

overall runoff volume and flow rate which is received by the larger ~~storm water~~stormwater system.

### 3. VEGETATED STRIPS

Vegetated strips are vegetated surfaces that are designed to treat sheet flow from adjacent surfaces. They function by slowing runoff velocities and allowing sediment and other pollutants to settle and provide some infiltration into underlying soils.

Vegetated Strips are commonly operated as a pre-treatment stormwater BMP located upstream of other BMPs capable of greater pollutant removal rates. As a stand-alone BMP, vegetated strips can only treat the lowest intensity rainfall events.

### 4. INFILTRATION BASINS

Infiltration basins are shallow depressions created by excavation or berming that capture ~~storm water~~stormwater and stores the runoff until it can infiltrate into the soils.

Infiltration basins provide the majority of treatment by processes related to soil infiltration, which include absorption, precipitation, trapping, straining, and bacterial degradation. The slowed, cleaned water is allowed to infiltrate native soils or directed to nearby ~~storm water~~stormwater drains or receiving waters.

Infiltration basins eliminate or dramatically reduce ~~storm water~~stormwater flow rates and volumes. They improve water quality by settling and filtering out pollutants, they recharge groundwater, and they can provide stormwater storage capacity in a large drainage area. Some of the advantages of this BMP are infiltration basins can be aesthetically pleasing if properly designed and maintained, they reduce the amount of runoff from drainage areas, they are effective at the removal of sediment loads and other pollutants, and they allow for flexibility of design layout to be able to fit most landscapes.

### 5. INFILTRATION TRENCHES

Infiltration trenches are shallow excavations that are lined with filter fabric and filled with stone to create underground reservoirs for ~~storm water~~stormwater runoff. The runoff gradually percolates through the bottom and sides of the trench into the surrounding subsoil over time. Infiltration trenches are typically implemented at the ground surface to intercept overland flows. Runoff can be captured by depressing the trench surface or by placing a berm at the downgradient side of the trench.

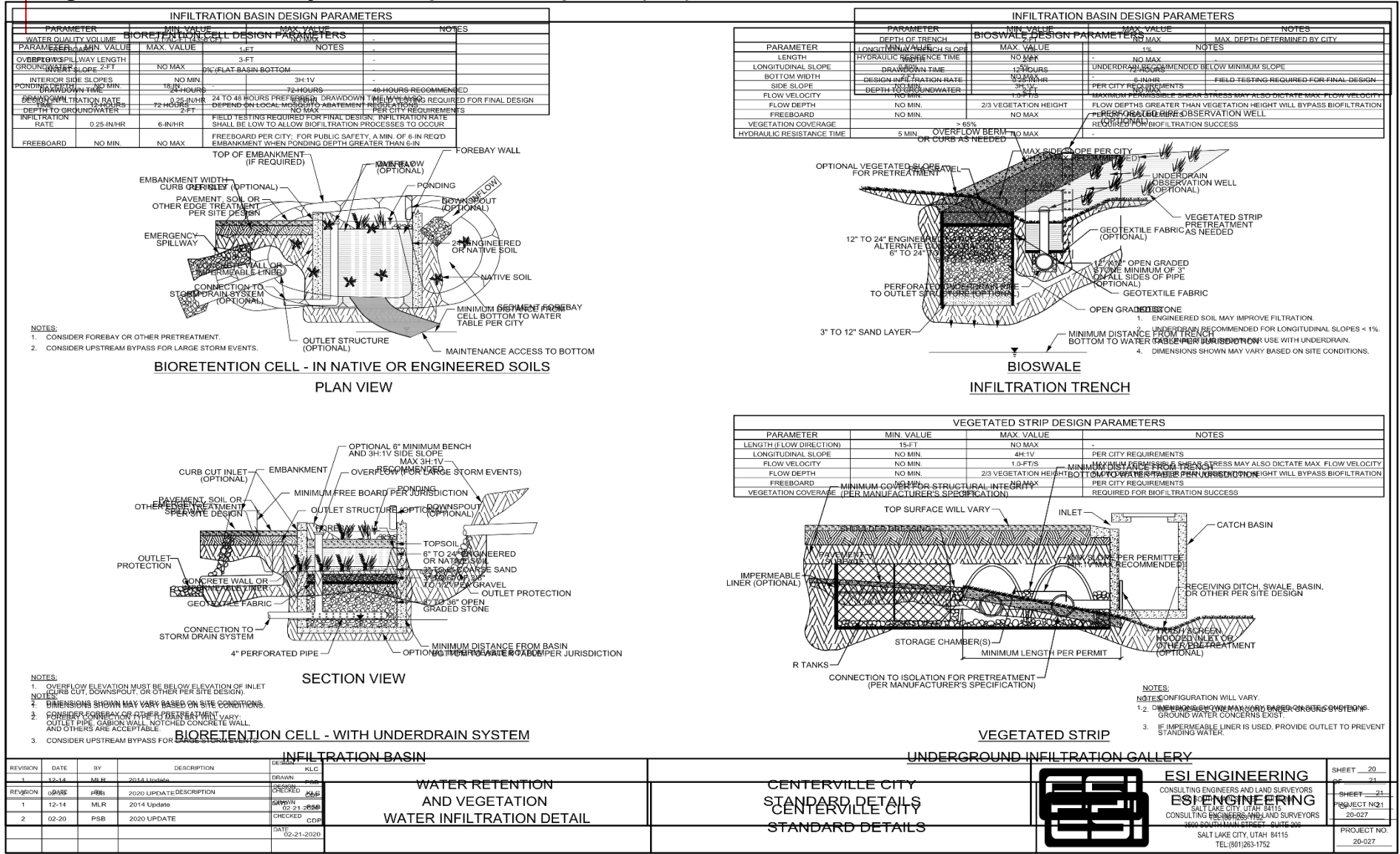
### 6. UNDERGROUND INFILTRATION GALLERY

An underground infiltration gallery is a BMP system that temporarily stores ~~storm water~~stormwater runoff below ground as part of a treatment process. The gallery includes an infiltration chamber system that consists of proprietary manufactured modular structures installed underground that create large void spaces for temporary storage of ~~storm water~~stormwater. Structures may be plastic or concrete and typically have an open bottom and are wrapped with stone and filter fabric. They can be installed individually or in series in trench or bed configurations. ~~Storm water~~Stormwater is delivered to the system through inlets such as curb-cuts or other concrete structures and pipes connected to other stormwater conveyances such as ~~catchbasins~~catch basins.

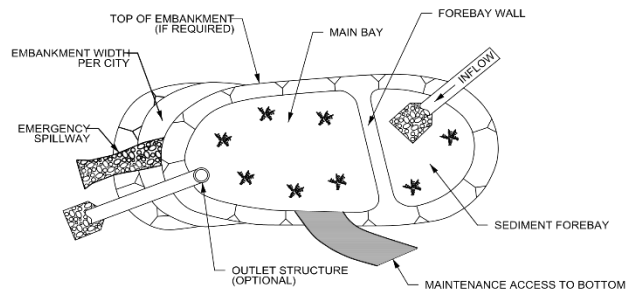


See **Figure 1** for Centerville City's Low Impact Development (LID) Standard Detail

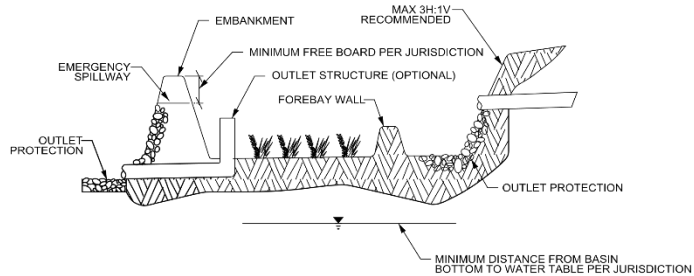
**Figure 1. Centerville City's Low Impact Development (LID) Standard Details**



INFILTRATION BASIN DESIGN PARAMETERS			
PARAMETER	MIN. VALUE	MAX. VALUE	NOTES
WATER QUALITY VOLUME	0.1-AC-FT (4356 CF)	NO MAX	-
FREEBOARD	1-FT	-	-
OVERFLOW SPILLWAY LENGTH	3-FT	-	-
INVERT SLOPE	0% (FLAT BASIN BOTTOM)	-	-
INTERIOR SIDE SLOPES	NO MIN.	3H:1V	-
DRAWDOWN TIME	24-HOURS	72-HOURS	48-HOURS RECOMMENDED
DESIGN INFILTRATION RATE	0.25-IN/HR	6-IN/HR	FIELD TESTING REQUIRED FOR FINAL DESIGN
DEPTH TO GROUNDWATER	2-FT	NO MAX	PER CITY REQUIREMENTS



PLAN VIEW

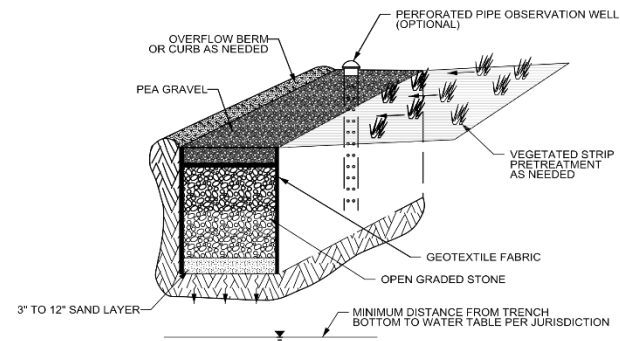


SECTION VIEW

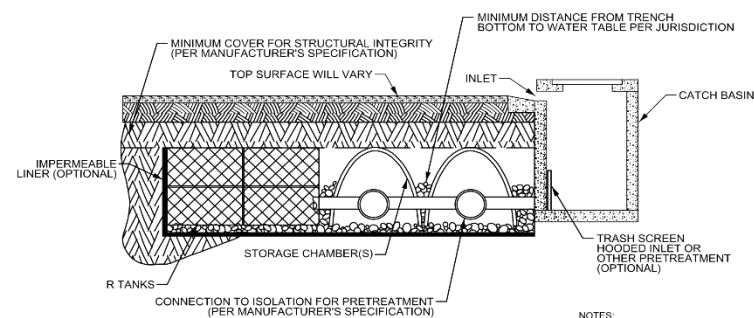
- NOTES:
- DIMENSIONS SHOWN MAY VARY BASED ON SITE CONDITIONS.
  - FOREBAY CONNECTION TYPE TO MAIN BAY WILL VARY: OUTLET PIPE, GABION WALL, NOTCHED CONCRETE WALL, AND OTHERS ARE ACCEPTABLE.
  - CONSIDER UPSTREAM BYPASS FOR LARGE STORM EVENTS.

#### INFILTRATION BASIN

INFILTRATION BASIN DESIGN PARAMETERS			
PARAMETER	MIN. VALUE	MAX. VALUE	NOTES
DEPTH OF TRENCH	2-FT	NO MAX	MAX. DEPTH DETERMINED BY CITY
LONGITUDINAL TRENCH SLOPE	0%	1%	-
WIDTH	2-FT	NO MAX	-
DRAWDOWN TIME	12-HOURS	72-HOURS	-
DESIGN INFILTRATION RATE	0.25-IN/HR	6-IN/HR	FIELD TESTING REQUIRED FOR FINAL DESIGN
DEPTH TO GROUNDWATER	2-FT	NO MAX	-



INFILTRATION TRENCH



- NOTES:
- CONFIGURATION WILL VARY.
  - IMPERMEABLE LINER AROUND UNDER GROUND SYSTEM IF GROUND WATER CONCERNS EXIST.
  - IF IMPERMEABLE LINER IS USED, PROVIDE OUTLET TO PREVENT STANDING WATER.

#### UNDERGROUND INFILTRATION GALLERY

REVISION	DATE	BY	DESCRIPTION	DESIGN	K.L.C.
1	12-14	MLR	2014 Update	DRAWN	PSB
2	02-20	PSB	2020 UPDATE	CHECKED	CDP
				DATE	12-21-2020

#### WATER INFILTRATION DETAIL

#### CENTERVILLE CITY STANDARD DETAILS



**ESI ENGINEERING**  
CONSULTING ENGINEERS AND LAND SURVEYORS  
3500 SOUTH MAIN STREET SUITE 200  
SALT LAKE CITY, UTAH 84115  
TEL: (801) 263-1752

SHEET 21  
OF 21  
PROJECT NO.  
20-027

## SECTION 5 – FLOOD CONTROL STORAGE DESIGN

### 5.1 Detention/Retention Systems

#### 5.1.1 New Developments

New Development projects that disturb land greater than or equal to one acre must manage rainfall runoff on-site. The precipitation from all rainfall events less than or equal to the 80<sup>th</sup> percentile rainfall event shall be prevented from off-site discharge. This objective must be accomplished by the use of practices that are designed, constructed, and maintained to infiltrate, evapotranspire, and/or harvest and reuse rainwater. The 80<sup>th</sup> percentile rainfall event is the event whose precipitation total is greater than or equal to 80 percent of all storm events over a given period of record.

Detention/Retention systems shall capture project basin peak flow rates and be designed with the following:

1. New Developments shall retain the 80<sup>th</sup> percentile storm event. Along the Wasatch front, this is approximately 0.45 to 0.5 inches over a 24 hour period. This runoff shall not be discharged from the system unless it is determined that it is not technically feasible.
2. Use Low Impact Development (LID) treatment standards.
3. Determine the percolation rate at the floor of each above ground and below ground retention systems using a downhole percolation test or approved equal.

#### 5.1.2 Residential Systems

Residential systems include surface ponds, swales, tanks, offline upsized pipes, and dry wells, and shall be designed with the following:

1. Public systems shall conform to the ~~City of~~ Centerville City Standards.
2. Residential detention/retention systems shall be near and in view of public and private ROW or driveways. This includes not putting a system in back yards or side yards that are behind fences of single-family residential properties.

#### 5.1.3 Redevelopments / Amendment to Site Plans

Detention/Retention systems shall be evaluated for potential capacity increases when 10% or more of additional impervious surfaces (buildings, roads, parking lots, and other structures) are constructed as part of a redevelopment or if a site plan requires an amendment.

## SECTION 6 - APPENDICES

### 6.1 List of Acronyms

ACOE United States Army Corps of Engineers

BMP Best Management Practices

CRS Community Rating System

CWA Clean Water Act

DCSWC Davis County Storm Water Coalition

EPA Environmental Protection Agency

FEMA Federal Emergency Management Agency

IDDE Illicit Discharge Detection and Elimination

LID Low Impact Development

MEP Maximum Extent Practicable

MS4 Municipal Separate Storm Sewer System

NFIP National Flood Insurance Program

NPDES National Pollutant Discharge Elimination System

SOP Standard Operating Procedure

SWMP Stormwater Management Plan

TMDLs Total Maximum Daily Loads

UPDES Utah Pollutant Discharge Elimination System

~~SLCO Salt Lake County~~

~~SWMP Storm Water Management Plan~~



## 6.2 Glossary of Terms

**BEST MANAGEMENT PRACTICES (BMP):** ~~includes BMPs~~: BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment, requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage and good housekeeping solutions that include the proper handling, storage, and disposal of toxic materials to prevent ~~storm-water~~stormwater pollution.

**CATCH BASINS:** Curbside opening that collects rainwater from streets and serves as an entry point to the storm drain system.

**FIRST FLUSH:** The first big rain after an extended dry period, which flushes out the accumulated pollutants in the storm drain system.

**FLOOD CONTROL CHANNEL:** The open portions (often concrete-lined) of the storm drain system.

**GUTTER:** The edge of a street (below the curb) designed to drain water runoff from streets, driveways, and parking lots into catch basins.

**HOUSEHOLD HAZARDOUS WASTE:** Common everyday products that people use in and around their homes including paint, paint thinner, herbicides, and pesticides that due to their chemical nature, can be hazardous if not properly disposed.

**LOW IMPACT DEVELOPMENT (LID):** LID refers to engineered systems, either structural or natural, that use or mimic natural processes to promote infiltration, evapotranspiration, and/or reuse of ~~storm-water~~stormwater as close to its source as possible to protect water quality and aquatic habitat.

**ILLICIT CONNECTION:** Any man-made conveyance connecting to the storm drain system that is not permitted and/or allows an illicit discharge directly to a municipal separate storm sewer, or any legitimate connection that is used for illegal discharge.

**ILLICIT DISCHARGE:** Any discharge to a municipal separate storm sewer system that is not composed entirely of ~~storm-water~~stormwater except discharges pursuant to ~~an~~a UPDES permit and discharges related to firefighting activities.

**MAXIMUM EXTENT PRACTICABLE (MEP):** Technology--based discharge standard for Municipal Separate Storm Sewer Systems established by the Clean Water Act ~~402~~.

**MUNICIPAL SEPARATE STORM SEWER ~~SYSTYEM~~SYSTEMS (MS4):** MS4 refers to a collection of structures designed to gather stormwater and discharge it into local streams and rivers.

**NON-POINT SOURCE POLLUTION:** Pollution that does not come from a single, identifiable source; includes materials that wash from roofs, streets, yards, driveways, sidewalks, and other land areas. Collectively, this is the largest source of ~~storm~~ waterstormwater pollution.

**OUTFALL:** A flow of water from one drainage system into a larger system or into a body of water like a bay or lake.

**POINT SOURCE POLLUTION:** Pollution from a single identifiable source such as a factory or a sewage-treatment plant. Most of this pollution is highly regulated at the state and local levels.

**SOURCE CONTROL:** Action to prevent pollution from where it originates.

**STORM DRAIN SYSTEM:** A vast network of underground pipes and open channels designed for flood control.

**STORMWATER:** Rain runoff, ~~snow-melts~~snowmelt runoff, and other surface runoff and drainage that enters the storm drain system and empties into lakes, rivers, or streams.

**STORMWATER POLLUTION:** Water from rain, irrigation, garden hoses, or other activities that picks up pollutants (cigarette butts, trash, automotive fluids, used oil, paint, fertilizers and pesticides, lawn and garden clippings, and pet waste) from streets, parking lots driveways, and yards and carries them through the storm drain system.

**TOTAL MAXIMUM DAILY LOADS (TMDLs):** A TMDL is the calculation of the maximum amount of a pollutant allowed to enter a water body so that the waterbody will meet and continue to meet water quality standards for that particular pollutant. A TMDL determines a pollutant reduction target and allocates load reductions necessary to the source(s) of the pollutant.

**WATERSHED:** A watershed is land that collects water and drains it into a river system or lake.

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 8.

Short Title: Personnel Policies Amendments - Section 7.050 - Pregnancy Temporary Transitional Duty

Initiated By: Jason Davis, Utah Risk Management Agency

Staff Representative: Lisa Romney, City Attorney

**SUBJECT**

Consider amendments to Section 7.050 of the Centerville Personnel Policies regarding Pregnancy Temporary Transitional Duty - Resolution No. 2021-14

**RECOMMENDATION**

Approve Resolution No. 2021-14 amending Section 7.050 of the Centerville Personnel Policies regarding Pregnancy Temporary Transitional Duty.

**BACKGROUND**

The Utah Risk Management Agency has recommended as part of the City's annual risk assessment that the City amend its policies to provide for temporary transitional duty for pregnant employees if they are unable to perform a physical component of their job due to pregnancy. The recommended changes to Section 7.050 of the Centerville Personnel Policies are set forth in the attached Resolution No. 2021-14.

**ATTACHMENTS:**

Description

- ▣ Resolution No. 2021-14 - Personnel Policies - Pregnancy Temporary Transitional Duty

## RESOLUTION NO. 2021-14

### A RESOLUTION OF THE CENTERVILLE CITY COUNCIL AMENDING SECTION 7.050 OF THE CENTERVILLE PERSONNEL POLICIES REGARDING PREGNANCY TEMPORARY TRANSITIONAL DUTY

**WHEREAS**, the City Council has previously adopted Personnel Policies providing guidelines and policies for employees; and

**WHEREAS**, the Utah Risk Management Agency recommends as part of the City's annual risk assessment that the City amend its policies to provide for temporary transitional duty for pregnant employees if they are unable to perform a physical component of their job due to pregnancy; and

**WHEREAS**, the City Council desires to amend Section 7.050 of the Personnel Policies to provide for temporary transitional duty for pregnant employees; and

**WHEREAS**, the City Council finds that the amendments to the Personnel Policies as set forth herein are in the best interest of the City, its employees, and the public which it serves to provide sufficient guidelines and procedures as recommended by the Utah Risk Management Agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Amendment.** The City Council hereby amends Section 7.050 of the Personnel Policies regarding Pregnancy Temporary Transitional Duty to read in its entirety as follows.

#### **7.050 Pregnancy Temporary Transitional Light Duty**

- (a) Purpose. It is the purpose of this policy to establish guidelines relating to ~~tTemporary~~ transitional Light ~~dDuty~~ for full-time and part-time employees during pregnancy. It is the intent of the City to provide equal employment opportunities to employees and to comply with the Pregnancy Discrimination Act (PDA) as set forth in 42 U.S.C. §§ 2000e, et seq. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII of the Civil Rights Act of 1964. Women affected by pregnancy or related conditions must be treated in the same manner as other applicants or employees who are similar in their ability or inability to work.
- (b) Policy. It is the policy of the City to provide pregnant employees an opportunity to continue to participate in the work force during pregnancy where possible. Pregnant employees who are able to fully perform their regularly assigned job duties must be permitted to do so on the same conditions as other employees. For pregnant employees who are not able to fully perform their regularly assigned job duties, this policy implements provisions and procedures for ~~tTemporary~~ transitional Light ~~Dduty~~ assignment for pregnant employees. The pregnant employee's acceptance of temporary transitional Light ~~duty~~ will not result in reduced pay or benefits.
- (c) Employee Notice to the City.

- (1) If an employee becomes pregnant and she has physical limitations that prohibit her from performing the functions of her regularly assigned position, the employee shall notify, or cause to be notified, her department head and the City Manager.
- (2) As part of the notice to the department head and City Manager, the employee must submit a Medical Release Pregnancy Form signed by her medical care provider that verifies the employee is pregnant, identifies any physical restrictions to apply during the temporary transitional light-duty assignment, and states how long the restrictions apply.
- (3) The employee is responsible, with the advice of her medical care provider, to determine how long the employee will continue working in her regularly assigned position. An employee is not required to accept a temporary transitional light-duty assignment. The employee may request temporary transitional light-duty at any time during her pregnancy pursuant to the advice of her medical care provider.
- (d) Temporary Transitional Light-Duty. Once the City has knowledge the employee is pregnant and the employee has requested temporary transitional light-duty in accordance with Subsection (c), the employee will be eligible for consideration for a temporary transitional light-duty assignment. The City is under no obligation to create or design a job or assignment specifically for such temporary transitional light-duty, but will allow a pregnant employee who cannot perform the physical duties of her assigned position to fill a temporary transitional light-duty position to the extent one is available. Temporary transitional Light-duty assignments may be either in the employee's own department or elsewhere in the City, depending on availability. The temporary transitional light-duty assignment shall comply with the physical restrictions imposed by the employee's medical care provider.
- (e) Duration. Subject to the limitations set forth herein, tThe employee can remain in a temporary transitional light-duty position until she is physically unable to perform her temporary transitional light-duty assignment or she can return to her regularly assigned position as certified by her medical care provider. Temporary transitional Light-duty assignments are temporary and are intended to last only for the duration of the pregnancy and only to the extent there are physical limitations due to the pregnancy that would cause the employee to be unable to continue working in her regular assignment.
- (f) FMLA, ADA and Paid Leave. Pregnant employees may be eligible for Family and Medical Leave in accordance with the provisions and procedures set forth in Section 5.080. Certain pregnancy related conditions may qualify an employee to receive reasonable accommodations under the Americans with Disabilities Act, including the ADA Amendments Act of 2008 (ADA) in accordance with provisions and procedures set forth in Section 7.030. Accrued paid leave such as sick leave and all-purpose leave may also be used in accordance with and subject to applicable provisions of Chapter 5 (Leave).
- (g) Training. While on temporary transitional light-duty status, the employee will participate in department level training classes that other employees are undergoing, as long as the training classes do not pose any risk to the employee.



- (h) Return to Work. In order to return to her regularly assigned job duties an employee must submit a Medical Release, signed by the employee's physician, indicating the employee is released to full duty, with no restrictions. Upon an employee's request to return to a full duty assignment and submittal of the signed Medical Release, the City will reinstate the employee to her regularly assigned position.

**Section 2. Severability.** If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

**Section 3. Effective Date.** This Resolution shall become effective immediately upon its passage and the policy amendments adopted herein shall become effective on May 1, 2021.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 6<sup>th</sup> DAY OF APRIL, 2021.**

**CENTERVILLE CITY**

ATTEST:

\_\_\_\_\_  
Janet S. Denison, City Recorder

By: \_\_\_\_\_  
Mayor Clark A. Wilkinson

**CERTIFICATE OF PASSAGE AND EFFECTIVE DATE**

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

\_\_\_\_\_  
JANET S. DENISON, City Recorder

DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_ day of \_\_\_\_\_, 2021.

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 9.

Short Title: Minutes Review and Acceptance

Initiated By:

Staff Representative:

**SUBJECT**

March 16, 2021 Work Session Minutes

March 16, 2021 Regular Meeting City Council Minutes

March 25, 2021 Special Meeting City Council Minutes

March 25, 2021 Closed Meeting City Council Minutes (Confidential)

**RECOMMENDATION**

**BACKGROUND**

**ATTACHMENTS:**

Description

- ▣ 3-16-21 Work Session CC Minutes
- ▣ 3-16-21 Regular Meeting CC Minutes
- ▣ 3-25-21 Special CC

Minutes of the Centerville **City Council work session** held Tuesday, March 16, 2021 at 5:30 p.m. with participants present electronically via Zoom and streamed on YouTube due to infectious disease COVID-19.

#### **MEMBERS PRESENT**

Mayor	Clark Wilkinson
Council Members	Tamilyn Fillmore William Ince Stephanie Ivie George McEwan Robyn Mecham

#### **STAFF PRESENT**

Brant Hanson, City Manager  
Lisa Romney, City Attorney  
Janet Denison, City Recorder  
Jacob Smith, Administrative Services Director  
Cory Snyder, Community Development Director  
Mike Carlson, Deputy Public Works Director  
Bruce Cox, Parks and Recreation Director  
Paul Child, Centerville Police Chief  
Lisa Sommer, Whitaker Museum Director

#### **DETERMINATION**

Mayor Wilkinson read aloud a determination regarding electronic meetings without an anchor location due to COVID-19

#### **FY2022 BUDGET**

Administrative Services Director Jacob Smith presented a list of FY22 capital equipment and project requests for all City departments. Department Directors explained individual department needs and budget requests.

Parks and Recreation Department – Parks and Recreation Director Bruce Cox explained the request to convert the limited Parks Mechanic position to a part-time position; explained Parks Department and Public Works Building capital equipment replacement and maintenance project requests; and stated costs had increased for irrigation, sewer, shipping, and replacement trees. Councilmember Fillmore mentioned the need to install a net at Island View Park near the volleyball court to prevent balls from rolling down the hill.

City Attorney Department – City Attorney Lisa Romney explained City Attorney Department FY22 Budget requests.

Whitaker Museum – Whitaker Museum Director Lisa Sommer presented FY22 Budget requests for the Whitaker Museum, and explained projects for the coming year. She said the goal of the Museum Board was to complete projects with RAP funds and not ask for money from the City General Fund. Referring to proposed construction of a pole barn on Whitaker Museum property, Councilmember Fillmore said she felt strongly that construction of any building should be part of a drawn-out master plan for the area, particularly with the recent acquisition of the

1 Randall property. Councilmember Ivie commented on the need for the proposed pole barn to  
2 shelter important artifacts from the weather. Councilmember Ince expressed the opinion that the  
3 barn should be period accurate. He suggested the possibility of community fundraising to help  
4 pay for the barn.

5  
6 Community Development Department – Community Development Director Cory Snyder  
7 explained FY22 budget requests for the Community Development Department, Planning  
8 Commission, Board of Adjustments, and Landmarks Commission. He spoke of the potential for a  
9 General Plan update, perhaps coupled with an economic development update. He shared the  
10 phrase, “if you do not grow, you die”, and suggested the City needed a plan for the future to  
11 remain viable. Mr. Snyder asked for Council feedback regarding a succession plan for Community  
12 Development. He forwarded a request from the Planning Commission to schedule a joint work  
13 session with the Council.

14  
15 Councilmember Fillmore expressed support for combining a land use plan with an  
16 economic plan, but said she viewed combining the two as a strong reason for outside consulting  
17 help. She suggested any money spent on putting together a professional plan would easily pay  
18 for itself. Councilmember Fillmore said she desired a very graphic, readable document for the  
19 public, from both land-use and economic perspectives. Mr. Hanson explained that \$50,000 was  
20 included in the Community Development budget to address the General Plan, and \$50,000 was  
21 included in the RDA budget to address economic development. He said he hoped to find a  
22 consultant to address both aspects. Mayor Wilkinson asked about the possibility of hiring an  
23 individual with experience, perhaps recently retired, to help the City with a General Plan update.  
24 Mr. Hanson emphasized the importance of consistency.

25  
26 Mr. Smith and Mr. Hanson spoke of the most recent federal CARES Act funding approved,  
27 and the anticipated impact on the City.

28  
29 **ADJOURNMENT**

30  
31 At 7:00 p.m., Councilmember Ince **moved** to adjourn the work session. Councilmember  
32 McEwan seconded the motion, which passed by unanimous vote (5-0).

33  
34  
35  
36  
37 \_\_\_\_\_  
38 Janet Denison, City Recorder

\_\_\_\_\_

39  
40  
41  
42 \_\_\_\_\_  
Katie Rust, Recording Secretary

Minutes of the Centerville **City Council** meeting held Tuesday, March 16, 2021, at 7:00 p.m. with participants present electronically via Zoom and streamed on YouTube due to infectious disease COVID-19.

**MEMBERS PRESENT**

Mayor Clark Wilkinson

Council Members Tamilyn Fillmore  
William Ince  
Stephanie Ivie  
George McEwan  
Robyn Mecham

**STAFF PRESENT**

Brant Hanson, City Manager  
Lisa Romney, City Attorney  
Janet Denison, City Recorder  
Jacob Smith, Administrative Services Director  
Mike Carlson, Deputy Public Works Director  
Kevin Campbell, City Engineer

**VISITORS**

David Williamson (left at 7:30 p.m.)  
Timothy Jackson

**DETERMINATION**

Mayor Wilkinson read aloud a determination regarding electronic meetings without an anchor location due to COVID-19

**PRAYER OR THOUGHT**

Councilmember McEwan

**PLEDGE OF ALLEGIANCE**

**OPEN SESSION**

No comments.

**AWARD**

Mayor Wilkinson recognized Deputy Public Works Director/Water Supervisor Mike Carlson for receiving the Extra Miler Award from the Rural Water Association of Utah. City Manager Brant Hanson thanked Mr. Carlson for his giving nature and exemplary work for the City.

**WATERSMART GRANT APPLICATION – RESOLUTION OF SUPPORT AND AUTHORIZATION TO APPLY FOR GRANT**

City Engineer Kevin Campbell explained that through WaterSMART grants, the Federal Bureau of Reclamation provided 50/50 cost share funding to irrigation and water districts, tribes, states, and other entities with water or power delivery authority. Staff were working with The Ferguson Group to submit an application for a WaterSMART grant. Grant projects must conserve and use water more efficiently, and are selected through a competitive process. The total amount of the grant would be between \$100,000 and \$200,000. The City's cost-share would come from in-kind (wages and benefits) sources and the Water Enterprise Fund as part of a budgeted and planned annual project. Proposed Resolution No. 2021-13 was prepared for Council



1 consideration, and would fulfill one section of the grant application demonstrating community  
2 support, both financially and politically, for a conservation project.

3  
4 Deputy Public Works Director/Water Supervisor Mike Carlson said the plan was to request  
5 grant funding for radio-read water meters and iPERL meters to replace existing meters in a portion  
6 of the City. He explained that radio-read water meters were battery operated, with a life  
7 expectancy of around 20 years. By installing radio-read water meters throughout the City in  
8 phases rather than all at once, the cost of battery replacement in the future would be staggered.  
9 City Manager Hanson expressed support for the suggestion.

10  
11 Councilmember Ince **moved** to approve Resolution No. 2021-13 showing support and  
12 authorization to apply for the FY 2021 WaterSMART Grants. Councilmember Ivie seconded the  
13 motion, which passed by unanimous vote (5-0).

#### 14 **FINANCIAL REPORT**

15  
16  
17 Mayor Wilkinson said Marcus Arbuckle, the City's contract CPA Adviser, would present a  
18 quarterly financial report in April.

#### 19 **WATERLINE PARTS ORDER, 400 EAST FROM CHASE TO PARRISH**

20  
21  
22 Mr. Carlson explained the need to order supplies for phase two of a planned waterline  
23 project as soon as possible. He presented bids received by the City, and recommended purchase  
24 of waterline parts from Mountainland Supply and the purchase of drain pipe from Ferguson.

25  
26 Councilmember Mecham requested more water trucks for phase two than were used the  
27 previous summer for phase one of the project. Councilmember McEwan **moved** to approve pipe  
28 orders for waterline parts from Mountainland Supply in the amount of \$81,259.05, and drain pipe  
29 from Ferguson in the amount of \$18,650.00. Councilmember Ince seconded the motion, which  
30 passed by unanimous vote (5-0).

#### 31 **PUBLIC UTILITY EASEMENT – 156 SOUTH 200 EAST – DAVID AND HEIDI** 32 **WILLIAMSON**

33  
34  
35 City Attorney Lisa Romney explained the requested public utility easement for David and  
36 Heidi Williamson at 156 South 200 East, and recommended Council approval. Councilmember  
37 Mecham **moved** to accept the public utility easement at 156 South 200 East. Councilmember Ivie  
38 seconded the motion, which passed by unanimous vote (5-0).

#### 39 **MINUTES REVIEW AND ACCEPTANCE**

40  
41  
42 Minutes of the March 2, 2021 Work Session and City Council Meeting were reviewed.  
43 Councilmember McEwan **moved** to accept both sets of minutes. Councilmember Ince seconded  
44 the motion, which passed by unanimous vote (5-0).

#### 45 **CITY COUNCIL REPORT**

46  
47  
48 Councilmember McEwan provided an update and answered questions from the Council  
49 regarding the Mosquito Abatement District.

#### 50 **MAYOR'S REPORT**

- 51  
52  
53
- Mayor Wilkinson updated the Council on The Hive Development project.

- Councilmember Ivie reported that mulch from the redesigned Island View Park had been blown to neighboring residential properties by heavy winds.

#### **CITY MANAGER'S REPORT**

- Mr. Hanson notified the Council that work on the West Davis Corridor project would begin soon, with possible noise impact on the north end of Centerville.
- The City Manager reported that the Randall property adjacent to Smith Park was slated for demolition, and said he would notify the Council when he had a specific date.
- Mr. Hanson provided an update on the recruitment process for the Public Works Director and Finance Director positions.

#### **ADJOURNMENT**

At 8:01 p.m., Councilmember McEwan **moved** to adjourn the meeting. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0).

\_\_\_\_\_  
Janet Denison, City Recorder

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Katie Rust, Recording Secretary

Minutes of the Centerville **City Council Special Meeting** held Thursday, March 25, 2021, at 8:00 p.m. with participants present electronically via Zoom due to infectious disease COVID-19.

**MEMBERS PRESENT**

Mayor Clark Wilkinson

Council Members William Ince  
Stephanie Ivie  
George McEwan  
Robyn Mecham

**MEMBER ABSENT**

Tamilyn Fillmore

**STAFF PRESENT**

Brant Hanson, City Manager  
Lisa Romney, City Attorney

**DETERMINATION**

Mayor Wilkinson read aloud a determination regarding electronic meetings without an anchor location due to COVID-19

**CLOSED SESSION**

At 8:02 p.m., Councilmember Ince **moved** to go into a closed session via Zoom to discuss character and competency of an individual, with no intent to return to open meeting. Councilmember Mecham seconded the motion, which passed by unanimous vote (4-0). In attendance were: Clark Wilkinson, Mayor; Councilmembers Ince, Ivie, McEwan, and Mecham; Brant Hanson, City Manager; and Lisa Romney, City Attorney.

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Katie Rust, Recording Secretary

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 10.

Short Title: City Council Report

Initiated By: Councilmember Tami Fillmore

Staff Representative:

**SUBJECT**

Councilmember Tami Fillmore

**RECOMMENDATION**

**BACKGROUND**

City Council may report on meetings/events attended and issues discussed in meetings/events attended by a Councilmember in their official capacity as the City's representative.

**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 11.

Short Title: Mayor's Report

Initiated By: Mayor Wilkinson

Staff Representative:

**SUBJECT**

**RECOMMENDATION**

**BACKGROUND**

This is the Mayor's opportunity to make appointments and report on meetings/events attended and issues discussed in meetings/events attended, in his official capacity as the City's representative.



**CENTERVILLE  
CITY COUNCIL  
Staff Backup Report  
4/6/2021**

Item No. 12.

Short Title: City Manager's Report

Initiated By: Brant Hanson

Staff Representative:

**SUBJECT**

**RECOMMENDATION**

**BACKGROUND**

This is the City Manager's opportunity to give notice to the City Council of current events impacting the City.